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**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JANUARY 6, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY CITY CLERK, MARILYNN SLADE

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE  
LED BY CITY CLERK SLADE

**ELECTION OF OFFICERS**

NOMINATIONS FOR COUNCIL PRESIDENT AND VICE  
PRESIDENT WERE OPENED BY MOTION OF  
COUNCILMEMBER LILLY (SEE RESOLUTION #001  
UNDER RESOLUTIONS). COUNCILMEMBER BEAL WAS  
NOMINATED AND ELECTED AS PRESIDENT, AND  
COUNCILMEMBER LEEMAN AS VICE-PRESIDENT FOR  
CALENDAR YEAR 1997.

PRESIDENT BEAL EXPRESSED APPRECIATION TO HER  
COLLEAGUES FOR THEIR VOTES, AND REMINDED  
MEMBERS OF THE PUBLIC WHO WISH TO SPEAK UNDER  
THE FIRST PUBLIC COMMENT PORTION OF THE AGENDA,  
THAT THEY MUST PRE-REGISTER TO SPEAK, ON THE  
SIGN-UP SHEETS LOCATED AT THE ENTRANCE TO  
CHAMBERS.

**APPROVAL OF MINUTES**

BY COUNCILMEMBER BENAVIDES

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
DECEMBER 16, AND DECEMBER 23, 1996

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER LILLY; A RESOLUTION  
INTRODUCING A NEW PROPOSAL FOR REVISION OF  
COUNCIL RULE #16 AND #19

2. FROM COUNCILMEMBER BENAVIDES; A REQUEST

FOR APPROPRIATION OF COMMUNITY USE FUNDS FOR  
THE ACADEMY BALLET THEATER

3. FROM COUNCILMEMBER LEEMAN; A LETTER FROM  
LLOYD TEETS OF 116 E. ELM ST. REGARDING HIS  
PROPOSAL FOR REVISION OF COUNCIL RULES #16  
AND #19

**PUBLIC COMMENT**

FRED PORTER OF 3700 W. HOLMES SAID THAT HE IS  
HERE AS A FOLLOW UP TO THE COMPLAINT HE FILED  
AGAINST THE LANSING POLICE DEPARTMENT ON  
DECEMBER 3, 1996. HE STATED THAT, AS OF  
TODAY'S DATE, HE HAS NOT HAD A RESPONSE OF ANY  
KIND.

LLOYD TEETS OF 116 E. ELM ST. CONGRATULATED  
COUNCILMEMBERS BEAL AND LEEMAN ON THEIR  
ELECTION. HE SPOKE REGARDING HIS PROPOSAL FOR  
REVISION TO COUNCIL RULES. HE SPOKE REGARDING  
THE LETTER OF APPRECIATION FROM THE EATON  
COUNTY SHERIFF'S OFFICE TO THE LPD START TEAM.

FRANK CURTIS "X", NO ADDRESS GIVEN, SPOKE  
REGARDING MAYOR HOLLISTER'S RECOMMENDATIONS  
FOR IMPROVING POLICE AND COMMUNITY RELATIONS.

DARNELL OLDHAM SR., NO ADDRESS GIVEN, SPOKE  
REGARDING THE DEATH OF EDWARD SWANS 11 MONTHS  
AGO AT THE LANSING CITY JAIL. HE EXPRESSED HIS  
FRUSTRATION OVER THE FACT THAT AS OF THIS DATE,  
THERE STILL HAVE BEEN NO CHARGES FILED AGAINST  
THE POLICE OFFICERS INVOLVED IN THIS INCIDENT.

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SAID  
THAT TOO MUCH ATTENTION HAS BEEN PAID TO THE  
MARCH FOR JUSTICE. IT IS HER OPINION THAT THIS  
GROUP HAS A DISDAIN FOR LAW AND ORDER. SHE  
SPOKE REGARDING THE FEDERAL GOVERNMENT "ONE  
STRIKE" LAW THAT PROHIBITS CONVICTED DRUG  
TRAFFICKERS FROM BENEFITING FROM PUBLIC  
HOUSING. SHE URGED LISTENERS WHO HAVE  
INFORMATION ABOUT VIOLATIONS OF THIS LAW TO CALL  
THE PUBLIC HOUSING FRAUD LINE AT 1-800-222-  
8558, OR THE LANSING HOUSING COMMISSION AT  
487-6550.

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER BENAVIDES

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED  
AS BEING READ IN FULL AND THAT THE PROPER  
REFERRALS BE MADE BY PRESIDENT BEAL



CARRIED UNANIMOUSLY

A. LETTER FROM PETER NELSON, NO ADDRESS GIVEN REGARDING ELECTRIC RATES

REFERRED TO THE MAYOR

B. LETTER FROM LESTER ROBINSON OF 3925 HARTFORD RD. IN OPPOSITION TO THE PROPOSED CHANGE IN SEWER RATE METHODOLOGY TO A 100% COMMODITIES BASED RATE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. LETTER FROM STEVEN DEBRABANDER OF THE PARENT COMMITTEE OF THE MAIN STREET CHILD CARE CENTER REQUESTING ANNUAL FUNDING OF THE MAIN STREET CHILD CARE CENTER

REFERRED TO THE MAYOR

D. LETTER OF APPRECIATION FROM THE EATON COUNTY SHERIFF DEPARTMENT TO THE LPD START TEAM

RECEIVED AND PLACED ON FILE

E. LETTER FROM REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH REQUESTING THAT HE BE ALLOWED TO ADDRESS COUNCIL ON THE ISSUES OF RACISM, POLICE BRUTALITY AND HARASSMENT IN THE LPD

REFERRED TO THE COMMITTEE OF THE WHOLE

F. LETTER FROM THE UNITED STATES POSTAL SERVICE REGARDING A CHANGE IN HOURS OF OPERATION FOR THE LANSING BUSINESS MAIL ENTRY UNIT

REFERRED TO THE MAYOR

G. NOTICE OF RATE INCREASE FROM CONTINENTAL CABLEVISION EFFECTIVE FEBRUARY 1, 1997

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

H. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES PROVIDING NOTICE OF AN APPLICATION FOR A CHILD FOSTER FAMILY GROUP HOME LICENSE FILED BY CHARLES & LORIS ASKEW OF 4008 WAINWRIGHT

REFERRED TO THE MAYOR

### MAYOR'S COMMENTS

MAYOR HOLLISTER CONGRATULATED COUNCILMEMBERS BEAL AND LEEMAN ON THEIR ELECTION TO COUNCIL LEADERSHIP POSITIONS. HE EXTENDED SPECIAL THANKS TO ALL OF THE VOLUNTEERS WHO WORKED ON FEST EVE, AND ANNOUNCED THAT THERE ARE THREE

NATURAL ICE SKATING RINKS THAT WILL BE OPEN, WEATHER PERMITTING, AT SYCAMORE PARK, BANCROFT PARK, AND COMSTOCK PARK. THE PARKS AND RECREATION DEPARTMENT DESPERATELY NEEDS VOLUNTEERS WHO CAN WORK SUPERVISING THE RINKS AND FOR PART-TIME EMPLOYEES TO DO THE SAME. INTERESTED PARTIES MAY CALL 483-4230.

COUNCILMEMBER ALLEN ASKED HOW MANY HOURS VOLUNTEERS WOULD BE REQUIRED TO WORK AND IF THERE IS A MINIMUM AGE REQUIREMENT. SHE KNOWS OF HIGH SCHOOL STUDENTS WHO ARE INTERESTED IN VOLUNTEERING. SHE ASKED THE ADMINISTRATION TO CHECK INTO THE MT. HOPE AND EVERGREEN CEMETERY GATE REPAIR THAT IS NEEDED TO ENSURE THAT THE GATES CLOSE PROPERLY AT NIGHT.

COUNCILMEMBER BEAL ASKED THE ADMINISTRATION ABOUT MR. PORTER'S COMPLAINT THAT, ACCORDING TO THE COPIES HE DISTRIBUTED, WAS ACCEPTED BY GUILLERMO LOPEZ OF THE HUMAN RELATIONS DEPARTMENT ON DECEMBER 3, 1996. SHE REQUESTED THAT HUMAN RELATIONS AND COMMUNITY SERVICES DIRECTOR, ARTHUR WALKER ATTEND COUNCIL MEETINGS UNTIL THE MARCH FOR JUSTICE ISSUES HAVE BEEN CLEARED UP.

MAYOR HOLLISTER RESPONDED THAT, CONTRARY TO MR. PORTER'S COMMENTS, THE HUMAN RELATIONS DEPARTMENT HAS SET UP TWO MEETINGS WITH HIM SO FAR. THE FIRST MEETING MR. PORTER FAILED TO ATTEND, AND THE SECOND MEETING IS PENDING. HE WILL CONFIRM THIS INFORMATION TOMORROW AND MAKE SURE THAT A TIME-LINE HAS BEEN ESTABLISHED ON THE RESPONSE TO THIS COMPLAINT.

### CITY OFFICER AND BOARD REPORTS

A. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

1. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

B. LETTERS FROM THE MAYOR RE:

1/ LETTER FROM BARBARA L. LUOMA REGARDING THE LANSING POLICE DEPARTMENT

RECEIVED AND PLACED ON FILE

2/ INGHAM COUNTY MAPLEWOOD LAKE PARK STATUS REPORT

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

### RESOLUTIONS

**RESOLUTION #001**

BY COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL'S FIRST ITEM OF BUSINESS EACH JANUARY IS TO ELECT ITS OFFICERS FOR THE CALENDAR YEAR;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY ELECTS COUNCILMEMBER ELLEN BEAL AS OUR PRESIDENT AND COUNCILMEMBER HAROLD LEEMAN AS OUR VICE PRESIDENT FOR 1997.

BY COUNCILMEMBER LILLY

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION NOMINATING COUNCILMEMBER BEAL AS PRESIDENT FOR CALENDAR YEAR 1997 AND COUNCILMEMBER LEEMAN AS VICE-PRESIDENT FOR CALENDAR YEAR 1997

CARRIED UNANIMOUSLY

**RESOLUTION #002**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, COUNCILMEMBER LILLY HAS RECOMMENDED ALTERNATIVE CHANGES TO COUNCIL RULES #16 AND #19, RESPONDING TO COMMENTS MADE BY THE PUBLIC ON PROPOSED RULE CHANGES AS INTRODUCED ON DECEMBER 16, 1996, RELATED TO OPPORTUNITIES FOR PUBLIC COMMENT AT COUNCIL MEETINGS AND THE ORDER OF THE COUNCIL AGENDA, PLUS ELIMINATION OF THE TOWN FORUM MEETINGS ON FIFTH MONDAYS; AND

WHEREAS, THE COMMITTEE OF THE WHOLE RECOMMENDS THAT THE EARLIER RULE AMENDMENTS BE FILED WITHOUT ACTION, AND THAT COUNCILMEMBER LILLY'S PROPOSAL BE INTRODUCED, AS REQUIRED BY THE RULE ON RULE AMENDMENTS;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY INTRODUCES THE ATTACHED AMENDMENTS TO RULE #16 AND RULE #19 OF THE CITY COUNCIL RULES, FOR CONSIDERATION AT A SUBSEQUENT COUNCIL MEETING.

ATTACHMENT

BY COUNCILMEMBER LILLY

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION INTRODUCING THIS LATEST PROPOSAL FOR REVISION TO COUNCIL RULES #16 & 19, AND TO REFER THE PROPOSED CHANGES TO THE COMMITTEE ON GENERAL SERVICES FOR CONSIDERATION

CARRIED UNANIMOUSLY

RULE 16. ORDER OF BUSINESS. THE ORDER OF BUSINESS OF THE CITY COUNCIL SHALL BE ON A PRINTED AGENDA PREPARED BY THE CITY CLERK. THE ORDER OF BUSINESS FOR COUNCIL MEETINGS ON THE FIRST, SECOND, THIRD, AND FOURTH MONDAYS SHALL BE AS FOLLOWS:

1. ROLL CALL
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS
4. CONSIDERATION OF LATE ITEMS (LATE ITEMS ARE TO BE CONSIDERED AS PART OF THE REGULAR PORTION OF THE MEETING TO WHICH THEY RELATE.)
5. ~~SPECIAL CEREMONIES~~, TABLED ITEMS IF ANY
6. ~~SCHEDULED PUBLIC HEARINGS~~ SPECIAL CEREMONIES
7. ~~PUBLIC COMMENT ON AGENDA ITEMS~~ REPORTS FROM COUNCIL COMMITTEES, CITY OFFICERS, OR BOARDS & COMMISSIONS
8. ~~RECEIPT OF COMMUNICATIONS AND PETITIONS FOR INFORMATION OR REFERRAL~~ PUBLIC AND MAYOR COMMENTS ON LEGISLATIVE MATTERS (THIS INCLUDES: SCHEDULED PUBLIC HEARINGS, CONSENT MATTERS, RESOLUTIONS, ORDINANCES FOR INTRODUCTION AND ORDINANCES FOR PASSAGE. A PERSON MAY SPEAK FOR UP TO FIVE MINUTES ON THESE ITEMS. THOSE WISHING TO SPEAK ON SCHEDULED PUBLIC HEARINGS AS WELL AS OTHER LEGISLATIVE MATTERS WILL BE GIVEN A TOTAL OF EIGHT MINUTES.)
  - A. SCHEDULED PUBLIC HEARINGS
  - B. OTHER LEGISLATIVE MATTERS
9. MAYOR (OR EXECUTIVE ASSISTANT) REPORTS OR PROPOSALS COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS
10. ~~CITY OFFICER AND BOARD REPORTS FOR INFORMATION, REFERRAL, OR ACTION~~
11. ~~RECEIPT OF COMMITTEE REPORTS~~
12. A. CONSENT MATTERS
13. B. RESOLUTIONS FOR ACTION
14. C. ORDINANCES FOR INTRODUCTION AND SETTING OF PUBLIC HEARING
15. D. ORDINANCES FOR PASSAGE
16. ~~CONSIDERATION OF LATE ITEMS, IF ANY~~
17. ~~TABLED ITEMS, IF ANY~~
18. COMMUNICATIONS, PETITIONS, AND OTHER CITY-RELATED MATTERS (THE PUBLIC MAY COMMENT FOR UP TO FIVE MINUTES PER PERSON.)
19. ~~MOTION OF EXCUSED ABSENCE~~
20. ~~CITIZEN COMMENT ON CITY GOVERNMENT RELATED MATTERS (3 MINUTE LIMIT PER SPEAKER)~~
21. ~~COUNCILMEMBER COMMENTS~~
22. REMARKS BY COUNCILMEMBER'S
23. ~~MAYOR (OR EXECUTIVE ASSISTANT) RESPONSE~~

- TO CITIZENS' OR COUNCILMEMBERS' QUESTIONS
13. REMARKS BY MAYOR OR EXECUTIVE ASSISTANT
  - 22.
  14. ADJOURNMENT

THE ORDER OF BUSINESS ON THE FIFTH MONDAY SHALL BE AS FOLLOWS:

1. ~~ROLL CALL~~
2. ~~INVOCATIONS AND PLEDGE OF ALLEGIANCE~~
3. ~~READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS~~
4. ~~RECEIPT OF COMMUNICATIONS AND PETITIONS FOR REFERRAL~~
5. ~~CITY OFFICER AND BOARD REPORTS FOR REFERRAL~~
6. ~~PUBLIC COMMENT ON ROUTINE LEGISLATIVE MATTERS~~
7. ~~ROUTINE LEGISLATIVE MATTERS FOR ACTION (IF NECESSARY)~~
8. ~~TOWN MEETING ROUND TABLE DISCUSSION~~
9. ~~MOTIONS OF EXCUSED ABSENCE~~
10. ~~MAYOR (OR EXECUTIVE ASSISTANT) REPORTS OR PROPOSALS~~
11. ~~CITIZEN COMMENTS ON CITY GOVERNMENT RELATED MATTERS (3-5 MINUTE TIME LIMIT)~~
12. ~~COUNCILMEMBER COMMENTS~~
13. ~~MAYOR'S (OR EXECUTIVE ASSISTANT'S) RESPONSE TO CITIZENS' OR COUNCILMEMBERS' QUESTIONS~~
14. ~~ADJOURNMENT~~

RULE 19. RULES OF DECORUM FOR MEETINGS; ADDRESS BY PERSONS. THE PRESIDING OFFICER SHALL CONDUCT COUNCIL MEETINGS IN AN ORDERLY MANNER. MEMBERS OF COUNCIL AND OTHERS IN ATTENDANCE SHALL OBEY DIRECTIONS OF THE PRESIDING OFFICER.

CITIZENS ATTENDING COUNCIL MEETINGS MAY HAVE UP TO THREE OPPORTUNITIES TO ADDRESS COUNCIL. SPEAKERS ARE REQUESTED TO PRINT THEIR NAMES AND ADDRESSES ON REGISTRATION SHEETS TO ASSIST IN THE ACCURACY OF THE COUNCIL PROCEEDINGS. EXTENSIONS OF SPEAKER TIME LIMITS ARE PERMISSIBLE AT THE DISCRETION OF THE COUNCIL. OPPORTUNITIES TO ADDRESS COUNCIL ARE:

(1) PUBLIC HEARINGS. SCHEDULED PUBLIC HEARINGS ARE HELD ON SPECIFIC LEGISLATIVE MATTERS UNDER CONSIDERATION BY COUNCIL. A 5-MINUTE TIME LIMIT IS IMPOSED PER SPEAKER.

(2) COMMENT ON ~~AGENDA ITEMS~~ LEGISLATIVE MATTERS SCHEDULED FOR ACTION. CITIZENS MAY PRESENT FACTS AND OPINIONS ON LEGISLATIVE MATTERS (CONSENT MATTERS, RESOLUTIONS AND ORDINANCES) LISTED ON THE COUNCIL AGENDA AND ON SUCH LATE ITEMS LEGISLATIVE MATTERS AS MAY BE APPROVED FOR CONSIDERATION ADDED TO THE

AGENDA. EACH SPEAKER IS LIMITED TO FIVE MINUTES ON LEGISLATIVE MATTERS. OR A TOTAL OF EIGHT MINUTES FOR COMMENT DURING PUBLIC HEARINGS AS WELL AS ON LEGISLATIVE MATTERS. ~~CITIZEN COMMENT DURING TOWN HALL ROUND TABLE DISCUSSIONS AT FIFTH MONDAY MEETINGS SHALL BE AT THE DIRECTION OF THE PRESIDING OFFICER.~~

(3) COMMENT ON COMMUNICATIONS, PETITIONS, AND OTHER CITY-RELATED MATTERS. CITIZENS MAY SPEAK ON ANY CITY GOVERNMENT-RELATED MATTER. EACH SPEAKER IS LIMITED TO THREE FIVE MINUTES TOTAL. THE PRESIDING OFFICER MAY RULE ANY SPEAKER OUT OF ORDER FOR FAILING TO SPEAK ON CITY GOVERNMENT-RELATED MATTERS.

DISRUPTIVE CONDUCT SHALL NOT BE PERMITTED. MEMBERS OF THE AUDIENCE MAY APPLAUD THE REMARKS OF ANY SPEAKER.

### CONSIDERATION OF LATE ITEMS

1. FROM COUNCILMEMBER LILLY; A RESOLUTION INTRODUCING A NEW PROPOSAL FOR REVISION OF COUNCIL RULE #16 AND #19

HANDLED AS RESOLUTION # 002

2. FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS FOR THE ACADEMY BALLET THEATER

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3. FROM COUNCILMEMBER LEEMAN; A LETTER FROM LLOYD TEETS OF 116 E. ELM ST. REGARDING HIS PROPOSAL FOR REVISION OF COUNCIL RULES #16 AND #19

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

### PUBLIC COMMENTS

FRANK CURTIS "X", NO ADDRESS GIVEN, SUGGESTED THAT MRS. TIMMONS HAS FORGOTTEN WHO MARK FURHMAN IS.

WILLIAM HUBBELL OF 3916 WEDGEWOOD CONGRATULATED COUNCILMEMBERS BEAL AND LEEMAN AND SAID THAT HE IS SURE THEY WILL DO A GOOD JOB. HE STATED THAT HE IS WILLING TO ABIDE BY WHATEVER RULES COUNCIL ADOPTS. HE HOPES THAT THE DISTRICT LIBRARY ISSUE WILL BE RESOLVED THIS YEAR, AS WELL AS THE TRANSPORTATION CENTER, WHICH HE IS HAPPY TO SEE PROGRESSING. HE URGED RESIDENTS TO PRAY FOR THE COUNCILMEMBERS ON THE DAIS AND TO TREAT THEM WITH A LAWFUL AND RESPECTFUL APPROACH WHEN THEY SPEAK BEFORE THEM.

WILLIE DAVIS, NO ADDRESS GIVEN, SPOKE REGARDING THE DEATH OF EDWARD SWANS AND SAID THAT HE IS GLAD TO SEE THAT THIS ISSUE IS BEING KEPT ON THE AGENDA. HE REPRESENTS THE NATIONAL BLACK UNITED FRONT. THIS ORGANIZATION BELIEVES THAT DRUG USE HAS BEEN FOSTERED AMONG AFRICAN AMERICANS BY THE FEDERAL GOVERNMENT AS A MEANS OF GENOCIDE.

DARNELL OLDHAM, NO ADDRESS GIVEN, SPOKE REGARDING THE "INEFFECTIVE COMPLAINT SYSTEM" AT THE LANSING POLICE DEPARTMENT. HE URGED COUNCILMEMBERS TO FIND A WAY TO SEE THAT THE MAYOR IS PRESENT THROUGHOUT THE ENTIRE COUNCIL MEETINGS. HE STATED THAT HE HAD A PROBLEM WITH THE SAME LPD OFFICER THAT MR. PORTER FILED HIS COMPLAINT ABOUT. HIS INCIDENT TOOK PLACE 8 YEARS AGO, AND THIS INDIVIDUAL HAS SINCE ADVANCED TO THE POSITION OF LIEUTENANT.

CHRISTINE TIMMONS OF 335 W. ST. JOSEPH SAID THAT IT IS THE RESPONSIBILITY OF THE INDIVIDUAL TO NOT USE DRUGS, AND TO NOT SELL DRUGS TO THEIR OWN PEOPLE. SHE URGED RESIDENTS TO REPORT WELFARE RECIPIENTS WHO USE OR SELL DRUGS, IN ORDER TO STOP THE SALE OF DRUGS FROM THIS CORRIDOR. THEY SHOULD BE REPORTED TO THE FAMILY INDEPENDENCE AGENCY. SHE SUGGESTED THAT THE MARCH FOR JUSTICE MARCH FOR RESPONSIBILITY.

REVEREND ANDREW BRODY, NO ADDRESS GIVEN, WISHED HAPPY NEW YEAR TO THE MAYOR AND COUNCILMEMBERS. HE IS HERE TO ACHIEVE JUSTICE FOR REX BELL AND EDWARD SWANS.

ALBERTA JORDAN, NO ADDRESS GIVEN, SAID THAT EDWARD SWAN SHOULD HAVE BEEN SHOWN RESPECT BY THE OFFICERS OF THE LPD, IF FOR NO OTHER REASON THAN THAT HE WAS A VIETNAM VETERAN. OUR SOCIETY SHOULD BE RESPONSIBLE FOR EVERYONE WHO WENT AND FOUGHT FOR OUR COUNTRY. SHE STATED THAT NOT ONLY IS THE POLICE DEPARTMENT BROKEN, MAYOR HOLLISTER'S OFFICE IS BROKEN ALSO. SHE DEMANDED THAT LPD OFFICERS STAY OUT OF HER SON'S FACE, AND WARNED THAT SHE IS NOT GOING TO TAKE ANY MORE OF THEM GETTING IN HER SON'S FACE. THE MAYOR HAD BETTER GO TO THEM AND TELL THEM TO STAY AWAY. SHE DEMANDED TO KNOW WHY LPD OFFICERS ARE NOT BEING ROUTINELY TESTED FOR DRUGS.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO, PASTOR OF FRIENDSHIP BAPTIST CHURCH, SAID THAT ON BEHALF OF THE MARCH FOR JUSTICE HE WILL PRESENT THEIR RECOMMENDATIONS FOR THE IMPLEMENTATION OF THEIR IDEAS AT NEXT MONDAY'S CITY COUNCIL MEETING. COPIES OF THEIR RECOMMENDATIONS WILL BE FORWARDED TO THE MAYOR AND TO COUNCILMEMBERS AND TO ALL OTHER INTERESTED PARTIES. THEY WILL ADDRESS THE INJUSTICES THAT THEY SEE IN LAW ENFORCEMENT IN

LANSING AND ONCE THE CITIZENS OF LANSING SEE WHAT THEY ARE PRESENTING, THEY WILL BECOME CONVINCED THAT INJUSTICES HAVE BEEN DONE THEM. THEY WILL DEMAND A CITIZENS REVIEW BOARD AND AN ANNUAL POLICE AND COMMUNITY RELATIONS SUMMIT TO DEAL WITH THE ISSUES OF POLICE AND COMMUNITY RELATIONS, AND THEY WILL DEMAND PROSECUTION OF THE OFFICERS WHO WERE INVOLVED IN THE DEATH OF EDWARD SWANS. THEY WILL DEMAND EQUAL REPRESENTATION OF BLACKS, HISPANICS, AND AMERICAN INDIANS ON THE LPD. THEY ARE OPPOSED TO CRIME, BOTH IN THE COMMUNITY AND IN THE POLICE DEPARTMENT.

VIRGINIA BOZEK OF 419 CLARENDON RD. IN E. LANSING STATED THAT SHE IS HERE TO SHOW HER APPRECIATION OF REVEREND STONE. SHE AGREES THAT THEY NEED A CITIZENS REVIEW BOARD. IT IS THE SYSTEM THAT NEEDS CORRECTION, NOT THE POLICE OFFICERS. SHE CONGRATULATED THE START TEAM ON THE SUCCESSFUL CRISIS INTERVENTION DETAILED BY THE LETTER FROM THE EATON COUNTY SHERIFF'S DEPARTMENT.

LLOYD TEETS OF 116 E. ELM ST. PREDICTED THAT THIS WILL BE A FULL YEAR FOR CITY COUNCIL. THEY MUST RESOLVE THE MARCH FOR JUSTICE ISSUES, THE SEWER RATE ISSUES, AND DEAL WITH AN ELECTION YEAR. HE CAUTIONED COUNCILMEMBERS THAT, UNLESS THEY TAKE ACTION TO REVERSE THE RAIN TAX ISSUE, THEY MAY NOT BE RE-ELECTED.

PATRICK MURRAY OF 1720 BRADLEY STATED A COMPLAINT ABOUT HIS STORMWATER ENTERPRISE FUND FEE. HE FILED AN APPEAL ON HIS BILL, BECAUSE HIS REAL EHA IS LESS THAN HALF OF WHAT THE CITY PROJECTS IT TO BE. SUBSEQUENT TO THE FILING OF HIS APPEAL, THE CITY PLACED THE FEE ON HIS TAX BILL AND SENT IT TO HIS MORTGAGE HOLDER.

CHRIS COTTER OF 5435 AMBER IN MERIDIAN TOWNSHIP SAID THAT HE AND HIS WIFE DECIDED TO MOVE OUT OF LANSING. HE OFFERED TO DONATE \$100.00 TO REPUBLICAN CANDIDATES FOR CITY COUNCIL. PREFERABLY, BLACK, REPUBLICAN CANDIDATES. HE URGED MEMBERS OF THE MARCH FOR JUSTICE TO JOIN HIM AND PLEDGE MONEY TO GOOD BLACK, REPUBLICAN CANDIDATES. HE STATED THAT HE RECEIVED HUNDREDS OF DOCUMENTS ON THE RAIN FEE FROM THE CITY. NOT ONE OF THESE DOCUMENTS WAS A SIGNED EPA DOCUMENT INDICATING THAT A RAIN FEE WAS NECESSARY.

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER ALLEN URGED PEOPLE WHO RECEIVE CITATIONS FOR NOT SHOVELING THE SNOW FROM THEIR SIDEWALK TO CONTACT HER, IF THEY ARE ELDERLY OR HANDICAPPED. SHE IS IN FAVOR OF RESCISSION OF THIS FEE AND COUNCIL LEADERSHIP IS REVIEWING IT. SHE CONGRATULATED COUNCILMEMBERS BEAL AND

LEEMAN ON THEIR ELECTION TO LEADERSHIP ROLES. SHE ASKED ABOUT THE CRITERIA FOR BECOMING A NON-PROFIT NEIGHBORHOOD ASSOCIATION, IN ORDER TO RECEIVE NEIGHBORHOOD GRANTS. ALSO, ARE THE DOORS TO THE NORTH SIDE POLICE PRECINCT LOCATED IN THE CITY HALL BUILDING OPEN UNTIL 12:00 A.M. AS ARE THE DOORS TO THE SOUTH SIDE POLICE PRECINCT?

COUNCILMEMBER LEEMAN CONGRATULATED MAYOR HOLLISTER ON THE SUCCESS OF FEST EVE AND URGED THE ADMINISTRATION TO PLACE THIS EVENT UNDER THE AUSPICES OF LEPPA TO ENSURE THAT IT CONTINUES TO GROW AND BECOMES EVEN MORE PROFESSIONALLY ORGANIZED AND ADVERTISED NEXT YEAR. HE URGED EVERYONE TO GO AND SEE THE FILM "GHOSTS OF THE MISSISSIPPI". HE THANKED HIS COLLEAGUES FOR VOTING FOR HIM.

COUNCILMEMBER BAUER SAID THAT SHE RECEIVED THE RESULTS OF THE DISTRICT LIBRARY STUDY TODAY. THE TIME LINE IS RIGHT ON TRACK. ALL THREE ENTITIES WILL RECEIVE THE REPORT AND MEET TO CONSIDER IT. THEY WILL COME BACK TO COUNCIL WITH A RECOMMENDATION FOR THE LANSING LIBRARY SYSTEM. SHE URGED RESIDENTS TO FOCUS ON THE POSITIVE THINGS THAT ARE HAPPENING IN THE CITY.

COUNCILMEMBER JONES THANKED HIS COLLEAGUES FOR THE COOPERATION HE RECEIVED DURING 1996. HE CONGRATULATED COUNCILMEMBERS BEAL AND LEEMAN ON THEIR ELECTION TO COUNCIL LEADERSHIP. HE CRITICIZED THE BOARD OF DIRECTORS AND THE MANAGEMENT OF SPARROW HOSPITAL FOR THE CONDITIONS THAT THEY HAVE IMPOSED UPON THEIR MERGER WITH ST. LAWRENCE HOSPITAL. THIS CUTS A LOT OF SERVICES TO PEOPLE OF THE COMMUNITY, ESPECIALLY WOMEN. THEY SHOULD NOT HAVE THE RIGHT TO IMPOSE THESE RESTRICTIONS, ESPECIALLY IN THE AREA OF WOMEN'S REPRODUCTIVE RIGHTS. HE URGED THE PUBLIC TO COMPLAIN ABOUT THIS TO THE BOARD OF SPARROW.

COUNCILMEMBER LILLY ASKED MR. WIENER TO PROVIDE HIM WITH INFORMATION REGARDING THE NUMBER OF CORPORATIONS AND BUSINESSES THAT RECEIVE A CREDIT ON THEIR STORMWATER ENTERPRISE FUND FEES BECAUSE THEY HAVE CREATED A RETENTION BASIN, OR SIMILAR FACILITY ON THEIR PROPERTY.

COUNCILMEMBER BEAL THANKED HER COLLEAGUES FOR ELECTING HER PRESIDENT OF CITY COUNCIL. SHE WELCOMED KAREN SCHMIDT BACK TO WORK AT CHANNEL 28 AND THANKED MIKE SWANSON FOR FILLING IN FOR KAREN. MIKE WILL CONTINUE TO WORK WITH KAREN TO STRAIGHTEN OUT SOME OF THE AUDIO PROBLEMS THE CHANNEL HAS BEEN EXPERIENCING. SHE STATED THAT SHE WILL NOT SUPPORT THE CONTINENTAL CABLEVISION RATE INCREASE UNLESS THEY IMPROVE THEIR BROADCAST QUALITY IN THIS AREA. SHE ANNOUNCED APPOINTMENTS TO CITY

COUNCIL STANDING COMMITTEES AND COUNCIL SUPPORTED AGENCIES. SHE REPORTED THAT SHE HAS CHANGED THE MEETING TIME OF THE COMMITTEE OF THE WHOLE FROM 4:00 P.M. TO 4:30 P.M.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER CONGRATULATED COUNCILMEMBERS BEAL AND LEEMAN ON THEIR ELECTION TO LEADERSHIP POSITIONS AND SAID THAT HE LOOKS FORWARD TO WORKING WITH THEM IN THE COMING YEAR.

HE REMINDED RESIDENTS THAT NEIGHBORHOOD GRANT APPLICATIONS WILL BE AVAILABLE UNTIL MONDAY, FEBRUARY 17, 1996. THERE IS \$9,000 AVAILABLE FOR NEIGHBORHOOD IMPROVEMENT PROGRAMS. HE RESPONDED TO COUNCILMEMBER ALLEN'S QUESTIONS BY SAYING THAT GROUPS DO NOT HAVE TO HAVE FORMAL RECOGNITION FROM THE STATE OF THEIR NON-PROFIT STATUS, THEY MUST BE ORGANIZED AS A NON-PROFIT ORGANIZATION WITH BY-LAWS AND RULES OF PROCEDURE AND THEY MUST EXIST TO BENEFIT THEIR NEIGHBORHOOD.

THE MAYOR'S OFFICE CONTINUES TO WRESTLE WITH THE MARCH FOR JUSTICE ISSUES AND LOOKS FORWARD TO WORKING WITH THE GROUP ON THE ISSUES THAT THEY HAVE ALREADY REACHED CONSENSUS ON. WE MUST LOOK AT ALL RECOMMENDATIONS MADE, IN ORDER TO MAKE SURE THAT WE PROVIDE GOOD QUALITY CUSTOMER SERVICES. THE DECISION TO PROSECUTE, OR NOT TO PROSECUTE, IN THE CASE OF EDWARD SWANS LIES WITH THE INGHAM COUNTY PROSECUTOR.

WITH REGARD TO THE JORDAN CASE, MRS. JORDAN'S SON WAS CONVICTED OF THREE ARMED ROBBERIES. THIS CASE HAS ALREADY BEEN ADJUDICATED. ANY COMPLAINTS ABOUT THE WAY THIS WAS HANDLED MUST BE TAKEN TO THE JUSTICE SYSTEM AND THE SUPREME COURT. THE MAYOR'S OFFICE HAS GIVEN HER THE NAME OF A TRIAL OMBUDSMAN IN THE COURT SYSTEM, AS WELL AS THE NAME OF A PRISONERS ADVOCATE ATTORNEY. THERE IS NOTHING MORE THEY CAN DO FOR HER.

**ADJOURNED 8:30 P.M.**

**MARILYNN SLADE, CITY CLERK**



7

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JANUARY 13, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION WAS OBSERVED AS A MOMENT OF  
SILENCE AND THE PLEDGE OF ALLEGIANCE WAS LED BY  
COUNCILMEMBER BEAL.

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
JANUARY 6, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER BENAVIDES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
APPROVING AN APPROPRIATION OF COMMUNITY USE  
FUNDS TO ACADEMY BALLET THEATER

2. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
APPROVING A TRANSFER OF CLASS C LIQUOR LICENSE  
FOR LYNNE MANAGEMENT Co., LLC

3. FROM COUNCILMEMBER NOVAK A LETTER FROM  
JENNIE H. WASHINGTON REQUESTING FUNDING OF A  
SENIOR PROGRAM COORDINATOR POSITION AT  
KINGSLEY COMMUNITY CENTER

4. FROM COUNCILMEMBER NOVAK; A REQUEST FOR  
FUNDING OF A BLUES CONCERT SERIES AT THE  
KINGSLEY CENTER

5. FROM COUNCILMEMBER LEEMAN; A PROCLAMATION  
FROM MAYOR HOLLISTER TO THE JUNIOR JAYCEES AND  
A REQUEST THAT A SPECIAL CEREMONY BE ADDED TO  
THE AGENDA FOR PRESENTATION OF THE  
PROCLAMATION

CARRIED UNANIMOUSLY

**SPECIAL CEREMONIES**

PRESIDENT BEAL ANNOUNCED THAT, ACCORDING TO THE  
ARRANGEMENT BETWEEN CITY COUNCIL AND THE MARCH  
FOR JUSTICE, THE FOLLOWING PRESENTATION WILL BE  
ALLOWED A 30 MINUTE TIME PERIOD. THIS TIME FRAME  
WILL INCLUDE THE PRESENTATION BY REVEREND STONE,  
AS WELL AS ANY PUBLIC COMMENTS ON THIS MATTER.

A. REVEREND LESTER D. STONE OF FRIENDSHIP  
BAPTIST CHURCH, ON BEHALF OF THE MARCH FOR  
JUSTICE MADE A PRESENTATION OF THEIR  
RECOMMENDATIONS FOR IMPROVEMENT IN POLICE AND  
COMMUNITY RELATIONS.

THEIR RECOMMENDATIONS INCLUDE: CRIMINAL  
PROSECUTION OF THE OFFICERS INVOLVED IN THE  
DEATH OF EDWARD SWANS; RECRUITMENT, RETENTION,  
& PROMOTION SUGGESTIONS FOR ETHNIC DIVERSITY  
AMONG POLICE PERSONNEL; DIVERSITY TRAINING FOR  
EXISTING POLICE PERSONNEL; CREATION OF A  
CITIZENS REVIEW BOARD; ESTABLISHING AN ANNUAL  
POLICE/COMMUNITY RELATIONS CONFERENCE.

MR. STONE ASKED THAT THE CITY CLERK, AND THE CITY  
ATTORNEY REVIEW THE PROCESS FOR INITIATING A  
CHARTER AMENDMENT, WHICH WOULD BE NECESSARY  
FOR THE CREATION OF THE CITIZENS REVIEW BOARD.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

B. EXECUTIVE ASSISTANT TO MAYOR HOLLISTER, DAVID  
WIENER, PRESENTED A PROCLAMATION TO SHELLY  
ADAMS, PRESIDENT OF THE LANSING CHAPTER OF THE  
JUNIOR JAYCEES. MS. ADAMS THANKED THE MAYOR  
AND MR. WIENER FOR THIS RECOGNITION.

**PUBLIC HEARINGS**

A. IN CONSIDERATION OF SLU-07-96, 3700 S.  
WAVERLY, PETITION FOR SPECIAL LAND USE FILED BY  
WAVERLY HOLMES L.L.C. TO ALLOW FOR USE OF THE  
PROPERTY FOR CHURCH OFFICES AND MEETINGS

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT  
& PLANNING

B. IN CONSIDERATION OF SLU-08-96, N. END OF  
LANSING AVE. BETWEEN ROSENEATH AND ROOSEVELT  
AVE., SPECIAL LAND USE FILED BY THE CITY OF  
LANSING PUBLIC SERVICE DEPARTMENT TO ALLOW FOR

DEVELOPMENT OF A NEW PUMP STATION AND  
EQUALIZATION BASIN

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING  
REFERRED TO THE COMMITTEE ON DEVELOPMENT  
& PLANNING

### PUBLIC COMMENT

HELEN FISER OF 12100 S. CORK RD. STATED HER  
FRUSTRATION WITH THE FREEDOM OF INFORMATION ACT  
(FOIA) PROCESS. APPARENTLY YOU HAVE TO KNOW  
EXACTLY WHAT YOU ARE ASKING FOR AND REFER TO THE  
DOCUMENTS BY NAME, IN ORDER TO GET THE  
INFORMATION YOU WANT. SHE WOULD LIKE TO SEE THIS  
PROCESS REVIEWED BY COMMITTEE AND REVISED. SHE  
STATED THAT SHE WANTS THE STORMWATER  
INFORMATIONAL VIDEO THAT IS BEING AIRED ON  
CHANNEL 28 TO BE PULLED FROM THE BROADCAST  
SCHEDULE, BECAUSE IT CONTAINS FALSE INFORMATION.  
SHE CLAIMED THAT THE CITY GAVE FALSE INFORMATION  
TO THE EPA REGARDING THE COMBINED SEWER  
OVERFLOW (CSO) PROJECT.

COUNCILMEMBER ALLEN QUESTIONED CITY ATTORNEY  
SMIERTKA REGARDING THE OBSERVANCE OF TIME  
RESTRICTIONS THAT ARE CONTAINED IN THE FOIA.

MR. SMIERTKA RESPONDED THAT THE CITY DOES  
COMPLY WITH THE TIME RESTRICTIONS PROVIDED FOR IN  
THE FOIA. HOWEVER, WHAT MRS. FISER IS  
REFERRING TO IS THAT SOME OF HER REQUESTS WERE  
DENIED, OR SHE WAS ASKED FOR MORE SPECIFIC  
DIRECTION AS TO THE REQUEST. HE STATED THAT HIS  
OFFICE WOULD BE HAPPY TO RELEASE THE FILE ON THE  
FISER FOIA REQUESTS FOR COUNCILMEMBER ALLEN'S  
INSPECTION.

HUGH CLARKE OF 109 W. MICHIGAN SPOKE IN  
OPPOSITION TO THE RESOLUTION REGARDING THE  
EXTERNAL AUDIT OF FIRE DEPARTMENT ACCOUNTS. THE  
COURT HAS RULED THAT THERE WAS NO CRIMINAL  
INTENT. THERE ARE NO LARGE SUMS OF MONEY  
MISSING. THEREFORE, THERE IS NO REASON, NOR IS  
THERE A PRECEDENT, FOR THIS AUDIT.

TIM KNOWLTON OF 222 N. WASHINGTON SQUARE  
STATED HIS AGREEMENT WITH THE COMMENTS MADE BY  
MR. CLARKE. THESE ACCOUNTS HAVE BEEN AUDITED  
BY THE CITY'S INTERNAL AUDITOR. HE SEES NO  
BENEFIT FROM HAVING THEM AUDITED AGAIN. HE  
STATED THAT HE HAS IN HIS POSSESSION, THREE  
LEDGERS THAT WERE NOT ONLY OVERLOOKED BY THE  
CITY'S AUDIT TEAM, BUT WHEN HE NOTIFIED THE  
AUDITORS OF THEIR EXISTENCE, THEY WERE IGNORED.  
THESE LEDGERS SHOW RECEIPTS AND EXPENSES THAT  
WILL ACCOUNT FOR THE SO CALLED "MISSING FUNDS".  
THERE IS NO EVIDENCE THAT ANYONE IMPROPERLY  
TOOK ANY MONEY, OR THAT ANY OTHER CRIMINAL  
ACTIVITY TOOK PLACE.

LLOYD TEETS OF 116 E. ELM ST. AGREED WITH THE  
REQUEST OF HELEN FISER THAT THE BROADCAST OF  
THE STORMWATER INFORMATIONAL VIDEO BE  
DISCONTINUED. HE OBJECTED TO THE FACT THAT  
PRESIDENT BEAL "ARBITRARILY AND CAPRICIOUSLY"  
DECIDED WHAT HE WOULD BE ALLOWED TO SPEAK ON  
DURING TONIGHT'S MEETING. HE STATED THAT HE  
WOULD SPEAK ABOUT ANY SUBJECT ON THE AGENDA  
THAT HE WANTS.

PRESIDENT BEAL CALLED MR. TEETS TO ORDER, AND  
UPON HIS REFUSAL TO COME TO ORDER, PRESIDENT  
BEAL RULED HIM OUT OF ORDER AND DIRECTED THE  
SERGEANT AT ARMS TO REMOVE HIM FROM CHAMBERS.

CONNIE DELANEY OF 3721 AURELIUS RD. SAID THAT  
IN 1981 SHE WAS ASSESSED A SPECIAL ASSESSMENT  
TO PAY FOR SEWER SEPARATION AND THE  
CONSTRUCTION OF A RETENTION BASIN ON HER  
PROPERTY. STILL SHE IS BILLED OVER \$140.00 PER  
MONTH FOR THE STORMWATER ENTERPRISE FUND FEE.  
THIS IS TWICE AS MUCH MONTHLY AS THE AVERAGE  
RESIDENTIAL USER PAYS FOR A YEAR, AND SHE DOES  
NOT RECEIVE A BENEFIT FROM THE SYSTEM. THEY ARE  
CALLING FOR AN INTERNAL REVENUE SERVICE AUDIT  
OF THE STORMWATER ENTERPRISE FUND. THEY WANT  
A DETAILED BREAK DOWN OF RECEIPTS AND  
EXPENDITURES OF CSO MONEY. THEY BELIEVE THAT  
THE STORMWATER ENTERPRISE FUND REVENUES ARE  
BEING USED TO CONSTRUCT SANITARY SEWERS, WHICH  
IS ILLEGAL.

COUNCILMEMBER BEAL ORDERED THE AUDIENCE TO  
COME TO ORDER, UPON THE FAILURE OF AUDIENCE  
MEMBERS TO DO SO, SHE CALLED FOR A FIVE MINUTE  
RECESS OF THE COUNCIL MEETING. THE MEETING  
RECESSED AT 8:10 P.M. AND RECONVENED AT 8:15  
P.M.

### COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED  
AS BEING READ IN FULL AND THAT THE PROPER  
REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

A. LETTERS FROM HELEN FISER SUBMITTING  
STORMWATER ENTERPRISE FUND FEE APPEALS FOR  
PROPERTY LOCATED: 1500 E. CAVANAUGH RD.,  
LAKE LANSING RD. PARCEL, 1434 JOLLY RD., 3821  
AURELIUS RD., 215 RUMSEY, 5025 ALPHA ST.,  
1814 REX ST.

REFERRED TO THE MAYOR

B. LETTERS FROM HELEN FISER AND CONNIE DELANEY  
RE:

-FOIA REQUEST FOR INFORMATION REGARDING THE COMBINED SEWER OVERFLOW PROJECT NPDES PERMIT #MIOO23400

RECEIVED AND PLACED ON FILE

-REGARDING CONFUSION OVER PREVIOUS FOIA REQUESTS, CSO AVERAGE ANNUAL COST TO RESIDENTS AND A STORMWATER INFORMATIONAL VIDEO

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. LETTER FROM CHRISTINE TIMMON OF 335 E. ST. JOSEPH REGARDING THE NEED FOR HELP FROM GROUPS SUCH AS THE MARCH FOR JUSTICE, P.U.L.L., AND THE COALITION OF BLACK MINISTERS IN THE FIGHT TO STOP DRUG USE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

#### **MAYOR'S COMMENTS**

MAYOR HOLLISTER ACKNOWLEDGED THE PRESENTATION OF REVEREND STONE. HE STATED THAT HE DOES NOT AGREE WITH THE CHARACTERIZATION OF THE DEATH OF EDWARD SWANS AS "MURDER". THIS DETERMINATION WILL BE MADE BY THE U.S. DEPARTMENT OF JUSTICE AND WHEN THEIR REPORT HAS BEEN ISSUED, THE CITY WILL MOVE FORWARD WITH WHATEVER THEIR RESULTS DIRECT. THERE ARE AREAS IN THE MARCH FOR JUSTICE RECOMMENDATIONS THAT WE CAN BUILD UPON. THE RECRUITMENT, TRAINING AND COMPLAINT PROCESS ARE ALL AREAS IN WHICH THE CITY AND THE MARCH ARE IN AGREEMENT. HE STATED HIS APPRECIATION FOR THE SPIRIT AND MANNER OF REVEREND STONE'S PRESENTATION TONIGHT AND URGED EVERYONE TO USE THIS AS A BEGINNING AND A FRAME WORK TO BUILD ON, AND TO LET THE HEALING BEGIN.

#### **CITY OFFICER AND BOARD REPORTS**

A. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

B. FROM COUNCIL PRESIDENT BEAL; A LETTER FROM DAVID WIENER, EXECUTIVE ASSISTANT TO MAYOR HOLLISTER REQUESTING AN AMENDMENT TO THE MEMORIAL REVIEW BOARD ORDINANCE

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

C. CITY OF LANSING COMPREHENSIVE ANNUAL FINANCIAL REPORT YEAR ENDED JUNE 30, 1996

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. LETTERS FROM THE MAYOR RE:

1/ TRANSFER OF FUNDS; LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ AUTHORIZATION FOR ISSUANCE OF A NOTICE OF INTENT TO ISSUE BONDS FOR THE CSO PROJECT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ ACQUISITION OF PROPERTIES OWNED BY THE STATE OF MICHIGAN

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

4/ SOLE SOURCE PURCHASE FOR THE PUBLIC SERVICE DEPARTMENT FOR PARKING METER SERVICES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ PARKING REGULATION CHANGE; ANDREW JACKSON BLVD. & EXECUTIVE DR.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ SLU-09-96, ACT-23-96, 925 STANLEY ST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

7/ SLU-10-96, 510 W. WILLOW ST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

8/ LETTER OF APPRECIATION FROM THEODORE J. STATION, E. LANSING CITY MANAGER TO CHIEF GREG MARTIN OF LFD

RECEIVED AND PLACED ON FILE

9/ LETTER OF APPRECIATION FROM HAZEL P. TREBILCOCK REGARDING POTTER PARK ZOO

RECEIVED AND PLACED ON FILE

10/ LETTER OF APPRECIATION FROM LYNN MARTINEZ, STATE REPRESENTATIVE, REGARDING THE RENAISSANCE ZONE DESIGNATION

RECEIVED AND PLACED ON FILE

11/ PARKING REGULATION CHANGE REQUEST;



BEMENT ST.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12/ TRAFFIC CONTROL REQUEST; ASHLEY DR. AND  
HAVERHILL DR.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

### RESOLUTIONS

#### RESOLUTION #003

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY COUNCIL OF THE CITY OF LANSING HAS RECEIVED REQUESTS THAT SAMUEL HOPKINS, DAVID MILLER, AND KENNETH SAILOR RECEIVE REIMBURSEMENT IN THE AMOUNT OF \$51,873.45 FROM THE CITY OF LANSING FOR ATTORNEYS FEES INCURRED AS A RESULT OF A PRELIMINARY EXAMINATION BEGINNING ON SEPTEMBER 16, 1996 INTO THEIR ALLEGED VIOLATION OF MICHIGAN COMPILED LAWS §750.157A; AND

WHEREAS, THE TESTIMONY RECEIVED AT THE PRELIMINARY EXAMINATION INDICATED THAT SAMUEL HOPKINS, DAVID MILLER, AND KENNETH SAILOR MAINTAINED AN ACCOUNT OR ACCOUNTS OF MONIES RECEIVED BY THE LANSING FIRE DEPARTMENT TRAINING DIVISION SEPARATE FROM THE OFFICIAL ACCOUNTING SYSTEM ESTABLISHED BY THE CITY OF LANSING (THE "FUND"); AND

WHEREAS, INTERNAL AUDITOR, GREGORY KOESSEL PERFORMED AN AUDIT OF TRANSACTIONS RECORDED IN A SET OF INCOMPLETE RECORDS OF MONIES PURPORTEDLY RECEIVED BY THE LANSING DEPARTMENT TRAINING DIVISION; AND

WHEREAS, BASED ON KOESSEL'S INTERNAL AUDIT OF SUCH INCOMPLETE RECORDS IT APPEARS THAT THE FUND RECEIVED AT LEAST \$51,364.52 IN REVENUES, EXPENDITURES FROM THE FUND AMOUNTED TO AT LEAST \$39,173.26, AND THAT \$6,840.18 WAS RETURNED TO THE CITY OF LANSING WHEN THE FIRE DEPARTMENT CEASED TO MAINTAIN THE FUND; AND

WHEREAS, KOESSEL'S INTERNAL AUDIT REVEALED THAT ALL FUNDS HAVE NOT BEEN RETURNED TO THE CITY AND FURTHER INVESTIGATION REVEALED THAT A SIGNIFICANT POTENTIAL FOR OTHER UNACCOUNTED REVENUE AND EXPENSE REMAINS; AND

WHEREAS, BECAUSE OF THE SYSTEM OF ACCOUNTING EMPLOYED, LACK OF ORIGINAL DOCUMENTATION, LACK OF COMPREHENSIVE RECEIPTS, DEPOSIT SLIPS AND INVOICES, AND APPARENT CHRONOLOGICAL GAPS IN THE INFORMATION AVAILABLE, IT CANNOT BE DETERMINED AT THIS TIME HOW MUCH REVENUE WAS RECEIVED, THE

AMOUNT OF EXPENDITURES ACTUALLY MADE, OR WHETHER ANY FUNDS RECEIVED RECONCILE WITH EXPENDITURES AND REMAINING CASH ON HAND; AND

WHEREAS, THE TESTIMONY DURING THE PRELIMINARY EXAMINATION AND OTHER INVESTIGATION REVEALED THAT THE FIRE DEPARTMENT TRAINING DIVISION RECEIVED REVENUE FOR THE TRAINING ACCOUNT FUND FROM SEVERAL SOURCES INCLUDING, BUT NOT LIMITED TO, THE SPONSORING OF TRAINING CLASSES FOR FIRE DEPARTMENT PERSONNEL EMPLOYED BY OTHER MUNICIPALITIES, A LINEN ACCOUNT, THE SALE OF CITY ASSETS AND THROUGH OTHER SOURCES,

WHEREAS, ANY FUNDS GENERATED BY THE TRAINING DIVISION OF THE FIRE DEPARTMENT BELONG TO THE CITY OF LANSING; AND

WHEREAS, THE CITY COUNCIL CANNOT ACT ON SAMUEL HOPKINS', DAVID MILLER'S, AND KENNETH SAILOR'S REQUEST FOR REIMBURSEMENT OF ATTORNEYS FEES UNTIL IT IS DETERMINED THAT ALL FUNDS GENERATED BY THE FIRE DEPARTMENT TRAINING DIVISION DURING THE PERIOD WERE EXPENDED IN CONFORMITY WITH ALL APPLICABLE RULES AND REGULATIONS;

NOW THEREFORE BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY APPROVES AND AUTHORIZES THE CITY OF LANSING'S OUTSIDE AUDITING FIRM, PEAT MARWICK, TO CONDUCT AN AUDIT OF THE FIRE DEPARTMENT TRAINING FUND, AS DESCRIBED ABOVE, TO DETERMINE THE AMOUNT OF REVENUE RECEIVED BY THE FUND, THE AMOUNT OF EXPENDITURES ACTUALLY MADE FROM THE FUND, WHETHER ANY FUNDS RECEIVED RECONCILE WITH EXPENDITURES, AND HOW MUCH, IF ANY, OF THE FUND CANNOT BE ACCOUNTED FOR;

BE IT FURTHER RESOLVED THAT THIS AUDIT BE COMPLETED NO LATER THAN FORTY-FIVE (45) DAYS AFTER THE APPROVAL OF THIS RESOLUTION.

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS AUTHORIZED TO MAKE THE NECESSARY FINANCIAL TRANSFERS TO COMPENSATE PEAT MARWICK FOR THEIR WORK UNDER THE CURRENT EXISTING AUDITING CONTRACT.

BE IT FINALLY RESOLVED THAT REQUEST FOR ATTORNEY FEE REIMBURSEMENT BE HELD IN ABEYANCE UNTIL THE COMPLETION OF THE AUDIT AND FURTHER ACTION BY THIS COUNCIL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY, COUNCILMEMBER LILLY ABSENT  
AND EXCUSED FROM VOTING

#### RESOLUTION #004

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF

## THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR COMMUNITY USE FUNDS, WHICH UNDER CURRENT POLICY MAY BE USED TO PAY CERTAIN LANSING CENTER COSTS OPEN EVENTS SPONSORED BY LOCAL ORGANIZATIONS, FROM THE ACADEMY BALLET THEATER FOR A BENEFIT CONCERT IN CONJUNCTION WITH GLOBAL HOPEMAKERS AND LANSING'S SISTER CITY COMMISSION, TO HONOR BALLET DANCERS FROM ST. PETERSBURG, RUSSIA, TO BE HELD JANUARY 17, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS IN THE AMOUNT OF \$1,200.00 BE APPROVED AS REQUESTED; AND

WHEREAS, THE COMMITTEE FURTHER RECOMMENDED THAT A WAIVER BE APPROVED OF THE POLICY STIPULATION THAT EXCEPTS FROM ELIGIBILITY FOR COMMUNITY USE FUNDS ANY EVENT FOR WHICH ADMISSION IS CHARGED, BASED ON THE COMMITTEE'S UNDERSTANDING THAT REVENUE FROM ADMISSION WILL NEITHER PROVIDE A PROFIT NOR COVER COSTS OF THE EVENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$1,200.00 TO ACCOUNT #101-173901-741200-0 FOR LANSING CENTER COSTS OF THE ACADEMY BALLET THEATER'S GALA BENEFIT CONCERT, TO BE HELD JANUARY 17, 1997; AND

BE IT FURTHER RESOLVED THE COUNCIL WAIVES THE COMMUNITY USE POLICY EXCEPTION FOR EVENTS WHICH CHARGE ADMISSION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY, COUNCILMEMBER LILLY ABSENT AND EXCUSED FROM VOTING

**RESOLUTION #005**

BY COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, LYNNE'S MANAGEMENT CO., L.L.C. (MEMBERS: LYNNE M. COLE, CHERYL R. MAURY AND RICHARD A. MAURY, ALL AT 3101 EAST GRAND RIVER, LANSING), HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF A 1996 CLASS C LICENSED BUSINESS, LOCATED AT 1115 SOUTH WASHINGTON, FROM BUZZ'S BOWLING LOUNGE, INC.; AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT THE APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES

HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST FROM LYNNE'S MANAGEMENT CO., L.L.C., TO TRANSFER OWNERSHIP OF A 1996 CLASS C LICENSED BUSINESS, LOCATED AT 1115 SOUTH WASHINGTON, FROM BUZZ'S BOWLING LOUNGE, INC., IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY, COUNCILMEMBER LILLY ABSENT AND EXCUSED FROM VOTING

**CONSIDERATION OF LATE ITEMS**

1. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION APPROVING AN APPROPRIATION OF COMMUNITY USE FUNDS TO ACADEMY BALLET THEATER

HANDLED AS RESOLUTION #004

2. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION APPROVING A TRANSFER OF CLASS C LIQUOR LICENSE FOR LYNNE'S MANAGEMENT CO., LLC

HANDLED AS RESOLUTION #005

3. FROM COUNCILMEMBER NOVAK A LETTER FROM JENNIE H. WASHINGTON REQUESTING FUNDING OF A SENIOR PROGRAM COORDINATOR POSITION AT KINGSLEY COMMUNITY CENTER

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. FROM COUNCILMEMBER NOVAK; A REQUEST FOR FUNDING OF A BLUES CONCERT SERIES AT THE KINGSLEY CENTER

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. FROM COUNCILMEMBER LEEMAN; A PROCLAMATION FROM MAYOR HOLLISTER TO THE JUNIOR JAYCEES AND A REQUEST THAT A SPECIAL CEREMONY BE ADDED TO THE AGENDA FOR PRESENTATION OF THE PROCLAMATION

THE RULES WERE SUSPENDED AND A SPECIAL CEREMONY WAS CONDUCTED FOR THE PRESENTATION OF THE RESOLUTION OF TRIBUTE

**PUBLIC COMMENTS**

ROXANNE JOHNSON OF POMPTON CIRCLE, SPOKE ON BEHALF OF THE MARCH FOR JUSTICE AND RELATED AN INCIDENT IN WHICH SHE BELIEVES SHE WAS TREATED WITH BRUTALITY AND HARASSMENT BY THE LANSING

POLICE DEPARTMENT (LPD).

REVEREND ANDREW BRODY OF 1114 GLENN ST. SAID THAT HE THINKS THE COUNCIL VIEWS THE MARCH FOR JUSTICE AS THE ENEMY. HE URGED RESIDENTS TO REGISTER TO VOTE AND TO VOTE, IN ORDER TO CHANGE THEIR REPRESENTATION IN CITY GOVERNMENT. THEY ARE NOT PLAYING GAMES, THEY ARE HERE FOR POSITIVE RESULTS IN THEIR FIGHT FOR EQUAL JUSTICE FOR BLACKS, HISPANICS, AND AMERICAN INDIANS.

DARNELL OLDHAM, SR. OF BERWICK DR. EXPRESSED HIS WELL WISHES FOR THE RECOVERY OF MAYOR HOLLISTER'S FATHER. HE SPOKE IN DEFENSE OF REVEREND STONE'S INTEGRITY. THE MARCH FOR JUSTICE IS A LARGE GROUP OF PEOPLE WHO HAVE BEEN COMING TO CITY COUNCIL MEETINGS FOR SEVERAL MONTHS TO PROTEST THE TREATMENT OF THEIR COMMUNITY BY THE LPD. HE DECLARED THAT EDWARD SWANS WAS MURDERED IN THE LANSING CITY JAIL ELEVEN MONTHS AGO.

ERIC CROSLEY OF 228 S. BALSER ST. SAID THAT HE MARCHED IN THE MARCH FOR JUSTICE EVENT ON SEPTEMBER 28, 1996. HE IS A CAUCASIAN, BUT HE MARCHED, BECAUSE HE IS A TEACHER IN THE MICHIGAN PRISON SYSTEM. OVER HALF OF HIS STUDENTS ARE BLACK MEN. HE READ AN ESSAY ABOUT RACISM WRITTEN BY ONE OF HIS PRISONERS.

REVEREND LESTER STONE SAID THAT THERE WAS A SERIOUS MISUNDERSTANDING ABOUT WHAT WAS TO HAPPEN AT TONIGHT'S COUNCIL MEETING WITH REGARD TO THEIR PRESENTATION AND PUBLIC COMMENT SPEAKING TIME. AT LAST THURSDAY'S MEETING OF THE COMMITTEE OF THE WHOLE IT WAS NOT MADE CLEAR TO HIM THAT THERE WOULD BE NO PUBLIC COMMENT ON THEIR ISSUE ALLOWED UNTIL THE END OF THE MEETING. HE STATED THAT HE FORGAVE PRESIDENT BEAL'S COMMENT THAT HE WAS BEHAVING IN A "SOMEWHAT DISINGENUOUS MANNER". HE FORGIVES WHAT SHE SAID, BUT FEELS THAT SHE STILL OWES HIM AN APOLOGY.

WILLIE DAVIS OF 1136 SHEPARD SAID THAT THREE MEN WERE KILLED BY THE LPD IN 1995. THIS HAS TO BE A RECORD OF SOME KIND, EVEN AMONG CITIES WITH MUCH LARGER POPULATIONS THAN LANSING. HE ASKED THAT MAYOR HOLLISTER ISSUE AN EXECUTIVE ORDER CREATING THE CITIZENS REVIEW BOARD. COUNCIL AND THE PUBLIC MUST TREAT EACH OTHER WITH MUTUAL RESPECT. THEY WILL NOT ALLOW THE MURDER OF EDWARD SWANS TO GO UNPUNISHED.

ALBERTA JORDAN, NO ADDRESS GIVEN, READ A DEFINITION OF THE WORD "BLACK" AND A DEFINITION OF THE WORD "WHITE", WHICH SHE SAID SHE GOT FROM THE DICTIONARY.

FRANK S. CURTIS "X" SAID THAT WHAT THIS ALL COMES DOWN TO IS A BATTLE BETWEEN THE MUSLIMS AND THE

CHRISTIANS. HE IS TIRED OF HEARING FROM LYING WHITE PEOPLE. THERE HAS NEVER BEEN JUSTICE IN THIS COUNTRY.

F. A. LUBKIN OF COLLINGWOOD DR. IN E. LANSING SAID THAT THE MARCH FOR JUSTICE ISSUES ARE NOT JUST RACIAL ISSUES, THEY ARE HUMAN ISSUES. HE SPOKE REGARDING THE SHOOTING OF GARY BOZEK BY THE LPD START TEAM AND THE DEATHS OF ED SWANS AND MR. TIJERINA.

ANGELA MATTHEWS OF 723 W. SHIAWASSEE URGED EVERYONE TO REMAIN OPEN MINDED, POSITIVE AND PRODUCTIVE. SHE CRITICIZED COUNCIL FOR USING A POSITION OF POWER TO CONTROL FREE SPEECH.

VIRGINIA BOZEK OF 419 CLARENDON IN E. LANSING SAID THAT THE POLICE DEPARTMENT SHOULD NOT FEEL SO THREATENED BY THE IDEA OF AN OUTSIDE CITIZENS REVIEW BOARD. THEY SHOULD VIEW THE CITIZENS REVIEW BOARD IN THE SAME LIGHT AS AN OUTSIDE AUDITOR. COMPLAINTS ABOUT THE POLICE DEPARTMENT SHOULD BE HANDLED BY SOMEONE OTHER THAN THE POLICE THEMSELVES.

HELEN FISER OF 12100 S. CORK IN MORRICE SAID THAT SHE WOULD LIKE TO HAVE A COPY OF THE STORMWATER FILE ON GENERAL MOTORS. SHE SAID THAT THE CITY ATTORNEY'S OFFICE RESPONDS WITHIN THE LEGAL TIME LIMIT, BUT IT IS USUALLY TO SAY THAT THE DOCUMENT SHE HAS REQUESTED DOES NOT EXIST AND THAT SHE MUST CLARIFY HER REQUEST. SHE WANTS THE PROCESS FOR HANDLING FOIA REQUESTS SENT TO A COMMITTEE.

JOYCE TEDDER OF P.O. BOX 6552 E. LANSING SAID THAT PEOPLE SHOULD BE GRATEFUL THAT THE POLICE RESPONDED SO QUICKLY TO EDWARD SWANS' BREAK-IN ATTEMPT AT AN AREA PRE-SCHOOL. THERE WERE ONLY WOMEN AND PRE-SCHOOL AGE CHILDREN IN THE BUILDING WHEN HE ATTEMPTED TO BREAK-IN WITH A PICK-AXE. SHE DOES NOT DISAGREE THAT THERE MAY BE A PROBLEM WITH RACISM IN THE LPD.

MICHAEL J. SIMON OF 310 SEYMOUR STATED HIS RESPECT FOR REVEREND STONE. HE SUGGESTED THAT REVEREND STONE COULD GO TO PEOPLE AND HELP HEAL THEM. HE FINDS IT HARD TO BELIEVE THAT THE LPD ACTUALLY KILLED SOMEONE. THEY HAVE ALL BEEN WELL EDUCATED AND SHOULD KNOW BETTER.

OSCAR KENT OF 411 S. FAIRVIEW SAID THAT RACISM IS A REALITY IN THE LPD, AS IS SELECTIVE PROSECUTION. HE COMPLAINED ABOUT A DRUG HOUSE THAT IS BEING OPERATED NEXT DOOR TO HIM. HE HAS BEEN TRYING TO GET HELP WITH THIS SITUATION FOR THREE YEARS. IT IS NOW CHAOS IN THEIR NEIGHBORHOOD, AND FOUR FAMILIES HAVE MOVED OUT. THE POLICE HAVE BEEN CALLED MANY TIMES AND THREE TIMES IN THE LAST THREE YEARS THEY HAVE FRISKED AND QUESTIONED HIM FOR SUSPICION OF DRUG

INVOLVEMENT.

PETER BUNTON OF 3311 BRISBANE SAID THAT THEY ARE ASKING MAYOR HOLLISTER TO LISTEN TO WHAT THEY ARE SAYING AND TAKE THEM SERIOUSLY. THEY WANT TO WORK TOGETHER WITH THE CITY TO MAKE THINGS BETTER FOR EVERYONE.

RITA BUNTON OF 3311 BRISBANE ASKED COUNCIL TO GIVE THEIR RECOMMENDATIONS SERIOUS CONSIDERATION. THE COMPLAINT SYSTEM AT LPD MUST BE FIXED. THEY WILL NOT TIRE IN THEIR EFFORTS TO BRING ABOUT JUSTICE FOR ALL PEOPLE. THEY WILL CONTINUE TO MARCH AND PROTEST.

JOAN WEBKAMIGOD OF 308 RUMSEY AVE. SPOKE IN SUPPORT OF THE RECOMMENDATIONS OF THE MARCH FOR JUSTICE. SHE ACCUSED COUNCILMEMBERS OF IGNORING THEM AND HAVING A LACK OF RESPECT FOR THEM.

LYNNE DEMOSS OF 424 S. VERLINDEN URGED THE COUNCIL AND MAYOR HOLLISTER TO ESTABLISH A CITIZENS REVIEW BOARD.

AMMAHAD SHEKARAKKI OF 902 WILLOW ST. SAID THAT LANSING CANNOT BE A "WORLD CLASS CITY" WITH THE EXISTING HUGE DIFFERENTIAL BETWEEN THE NUMBER OF WHITE CITY EMPLOYEES AND THE NUMBER OF BLACK CITY EMPLOYEES.

CRAIG JONES OF 3407 W. MT. HOPE COMMENTED THAT IT HAS BEEN AN UGLY EVENING IN COUNCIL CHAMBERS TONIGHT. HE IS IN FAVOR OF THE CREATION OF A CITIZENS REVIEW BOARD.

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER LEEMAN THANKED THE PUBLIC SERVICE DEPARTMENT FOR TAKING CARE OF ALL OF THE SNOW WE GOT LAST WEEK. HE URGED THE CITY ATTORNEY'S OFFICE TO RESOLVE THE ISSUE WITH MR. KENT. HE ANNOUNCED THE REGULARLY SCHEDULED MEETING OF THE PUBLIC SERVICES COMMITTEE THIS WEDNESDAY AT 11:30 A.M.

COUNCILMEMBER ALLEN REMINDED EVERYONE THAT NEXT MONDAY IS THE ANNUAL "LIVING THE DREAM" REUNION AT THE LANSING CENTER. THIS IS A MEMORIAL TO DOCTOR MARTIN LUTHER KING, JR. SHE NOTED THAT THE PUBLIC SAFETY COMMITTEE HAS BEEN ASSIGNED TO REVIEW THE ISSUES OF THE MARCH FOR JUSTICE. THEY WILL DO THE BEST JOB THAT THEY CAN AND WORK AS QUICKLY AND EFFICIENTLY AS POSSIBLE. THEY WILL MEET ON THURSDAY AND DECIDE HOW TO APPROACH THIS ISSUE.

COUNCILMEMBER BENAVIDES SAID THAT HE HAS BEEN WORKING ON THE FRED PORTER COMPLAINT. MR. PORTER HAS NOW RECEIVED TWO LETTERS IN RESPONSE TO THE COMPLAINT HE FILED ABOUT HIS

DAUGHTER. TWO OF THE CHARGES HAVE BEEN SUBSTANTIATED AND THE COMPLAINT PROCESS IS MOVING FORWARD IN THE PROPER MANNER. HE CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE GENERAL SERVICES COMMITTEE ON JANUARY 23, 1997 AT 8:00 A.M. WHERE THEY WILL TAKE UP THE ISSUES OF THE COUNCIL RULES REVISION AND STORMWATER ENTERPRISE FUND FEE APPEALS.

COUNCILMEMBER NOVAK ASKED MR. WIENER WHAT THE DEADLINE IS FOR FILING STORMWATER ENTERPRISE FUND FEE APPEALS. MR. WIENER RESPONDED THAT THE DEADLINE IS JANUARY 31, 1997. COUNCILMEMBER NOVAK URGED EVERYONE TO GET THEIR WRITTEN APPEAL IN BY THE DEADLINE. HE SAID THAT HE WAS GLAD TO HEAR SEVERAL OF THE MARCH FOR JUSTICE SUPPORTERS SPEAK ABOUT THE ISSUE OF MUTUAL RESPECT AT TONIGHT'S MEETING.

COUNCILMEMBER BAUER NOTED THAT THIS HAS BEEN A HIGHLY CHARGED, EMOTIONAL MEETING. HOPEFULLY, WE CAN NOW FOCUS ON THE RECOMMENDATIONS FROM THE MAYOR AND THE MARCH FOR JUSTICE AND BEGIN WORKING ON THE AREAS IN WHICH WE ARE ALREADY IN AGREEMENT RIGHT AWAY. SHE ANNOUNCED THAT THE INTERGOVERNMENTAL RELATIONS COMMITTEE WILL MEET TOMORROW AT 6:00 P.M. WITH THE SCHOOL BOARD AND THE COUNTY. THEY WILL BE DISCUSSING THE REGIONAL LIBRARY STUDY RESULTS. SHE INVITED COUNCILMEMBERS TO ATTEND THIS MEETING. THEIR RECOMMENDATIONS WILL BE FORTHCOMING.

COUNCILMEMBER JONES COMPLIMENTED THE ORGANIZATION OF MINISTERS THROUGHOUT THE CITY WHO ARE SPONSORING A HOUSING RENOVATION EVENT. DEMOCRACY, HE SAID, DOES NOT ALWAYS OPERATE SMOOTHLY. THERE ARE BUMPS AND GRINDS ALONG THE WAY. THE MARCH FOR JUSTICE RECOMMENDATIONS WILL FORM A BASIS FOR CONTINUED DISCUSSION. THEY WILL BE TAKEN UP BY THE PUBLIC SERVICES COMMITTEE, AND WILL BE AIRED ON CHANNEL 28.

COUNCILMEMBER BEAL ANNOUNCED THAT CITY HALL WILL BE CLOSED NEXT MONDAY IN OBSERVANCE OF THE MARTIN LUTHER KING, JR. HOLIDAY, AND THEREFORE THE CITY COUNCIL MEETING WILL BE HELD ON TUESDAY, JANUARY 21, 1997. SHE REMINDED EVERYONE THAT THE COMMITTEE OF THE WHOLE NOW MEETS AT 4:30 P.M.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER HAD NO COMMENTS AT THIS TIME.

**ADJOURNED 9:55 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JANUARY 21, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION WAS OBSERVED AS A MOMENT OF  
SILENCE IN MEMORY OF CANUTE FINDSEN AND THE  
PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMEMBER  
BEAL

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER NOVAK

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER NOVAK; A RESOLUTION  
AUTHORIZING A CHANGE IN LOCATION FOR THE  
COUNCIL MEETING OF JANUARY 27, 1997

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 3

**PUBLIC HEARINGS**

A. IN CONSIDERATION OF Z-15-96, COLONIAL  
TOWNHOUSES COOPERATIVE & 3818 PLEASANT  
GROVE, PETITION FOR REZONING FROM COMMUNITY  
UNIT PLAN (CUP) & "C" RESIDENTIAL TO "DM-1"  
RESIDENTIAL DISTRICT FILED BY JEFFREY P. RAY, P.C.  
ON BEHALF OF COLONIAL TOWNEHOUSES

JEFFREY P. RAY, NO ADDRESS GIVEN, SPOKE ON  
BEHALF OF THE PETITIONER AND REQUESTED APPROVAL  
OF THIS REZONING.

REFERRED TO THE COMMITTEE ON DEVELOPMENT  
& PLANNING

**PUBLIC COMMENT**

PETER BUNTON OF 3311 BRISBANE DR. CRITICIZED  
TELEVISION CHANNELS 6 & 10 FOR THEIR COVERAGE  
OF LAST WEEK'S CITY COUNCIL MEETING. HE  
COMMENDED THE LANSING STATE JOURNAL FOR  
AGREEING WITH THE RECOMMENDATIONS OF THE MARCH  
FOR JUSTICE.

DONALD STYPULA OF 2318 TULANE STATED THAT HE  
SUPPORTS THE SCHEDULING OF A PUBLIC HEARING ON  
THE ISSUE OF REPEALING THE STORMWATER  
ENTERPRISE FUND ORDINANCE, HOWEVER, HE  
SUGGESTS THAT COUNCIL WAIT UNTIL THEY HAVE ALL  
AVAILABLE INFORMATION. THEY HAVE ACCEPTED BIDS  
FROM CONSULTANTS TO DO AN INDEPENDENT STUDY OF  
THE FUND AND THEY SHOULD WAIT TO RECEIVE AND  
REVIEW THIS REPORT PRIOR TO HOLDING A PUBLIC  
HEARING. HE SUGGESTED THAT A TOWN MEETING BE  
SCHEDULED TO CONSIDER THIS ISSUE.

GLADYS GILSON OF 223 W. BARNES AVE. SPOKE  
REGARDING THE NEED FOR QUALIFIED CANDIDATES TO  
FILL THE PERSONNEL OPENINGS IN THE POLICE  
DEPARTMENT. IT IS NOT POSSIBLE TO FILL THE  
POSITIONS BASED ONLY ON A QUEST FOR DIVERSITY.  
QUALIFICATIONS MUST PLAY AN IMPORTANT ROLE. THE  
INCIDENT THAT LED TO THE ARREST OF MR. SWANS  
INVOLVED HIM ATTEMPTING TO BREAK INTO A DAY CARE  
CENTER THAT WAS OCCUPIED BY WOMEN AND CHILDREN.  
THE POLICE RESPONDED TO A CALL FOR HELP AND  
ANSWERED IT IN AN ATTEMPT TO PROTECT THE  
OCCUPANTS.

FRED PORTER OF 3700 W. HOLMES RD. ASKED  
ABOUT THE STATUS OF THE COMPLAINT HE FILED WITH  
THE HUMAN RELATIONS DEPARTMENT REGARDING AN  
INCIDENT BETWEEN HIS DAUGHTER AND THE POLICE  
DEPARTMENT. HE SAID THAT THE POLICE HAD EVERY  
DUTY TO RESPOND TO THE BREAK-IN AT THE DAY CARE  
CENTER AND PROTECT THE OCCUPANTS, HOWEVER,  
THAT SHOULD NOT HAVE ENDED WITH THE DEATH OF  
MR. SWANS. HE SAID THAT THE PEOPLE WHO APPEAR  
AT COUNCIL MEETINGS SEEKING REDRESS FROM THEIR  
GOVERNMENT OFFICIALS SHOULD NOT BE MALIGNED  
FOR THEIR EFFORTS. COUNCILMEMBER BENAVIDES  
ANSWERED MR. PORTER'S QUESTIONS ABOUT THE  
COMPLAINT HE FILED WITH THE HUMAN RELATIONS  
DEPARTMENT, SAYING, THAT HE HAS COPIES OF  
LETTERS THAT WERE MAILED TO MR. PORTER  
INFORMING HIM OF THE RESULTS OF THE INVESTIGATION

AND THE CORRECTIVE ACTIONS TAKEN. MR. PORTER SAID THAT THE RESULTS OF COMPLAINTS THEY HAVE FILED SHOULD NOT BE KEPT SECRET FROM THEM.

LENORA JADUN OF 1474 CAMBRIDGE, DIRECTOR OF THE PUBLIC SERVICE DEPARTMENT, SAID THAT THE RFP'S (REQUESTS FOR PROPOSALS) ON THE CONSULTANTS STUDY OF THE STORMWATER ENTERPRISE FUND ACCOUNTS HAVE ALREADY GONE OUT. THEY EXPECT TO BE ABLE TO HIRE THE CONSULTANT BY THE THIRD OR FOURTH WEEK IN FEBRUARY. SHE REQUESTED THAT THE PUBLIC HEARING BE DELAYED PENDING THE COMPLETION OF THE STUDY.

FRANK S. CURTIS "X" CRITICIZED AN ARTICLE THAT APPEARED IN THE STATE JOURNAL REGARDING THE RECOMMENDATIONS OF THE MARCH FOR JUSTICE.

GRETCHEN COURAUD OF 1881 RIDGEWOOD, VICE-PRESIDENT OF THE LANSING REGIONAL CHAMBER OF COMMERCE STATED HER OPPOSITION TO THE RESOLUTION SETTING A PUBLIC HEARING ON THE REPEAL OF ORDINANCE #925 (STORMWATER ENTERPRISE FUND). COUNCIL NEEDS TO HAVE AN ALTERNATIVE FUNDING SOURCE IN MIND WHEN THEY REPEAL THIS ORDINANCE. THE COURTS HAVE RULED THAT THIS IS A FEE, NOT A TAX, AND HOLDING A PUBLIC HEARING RIGHT NOW WOULD ONLY CONFUSE THE ISSUE. SHE REQUESTED THAT THE PUBLIC HEARING BE DELAYED PENDING THE RESULTS OF THE CONSULTANTS STUDY MENTIONED BY MRS. JADUN.

HELEN FISER OF 12100 S. CORK SAID THAT THE SOONER THE PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ORDINANCE IS SET, THE BETTER OFF EVERYONE WILL BE. SHE CRITICIZED THE STORMWATER INFORMATIONAL VIDEO.

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN SUPPORT OF THE RESOLUTION SETTING A PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ORDINANCE.

ROXANNE JOHNSON OF 1302 POMPTON CIRCLE URGED COUNCILMEMBERS TO TAKE REVEREND STONE'S AND THE MARCH FOR JUSTICES' RECOMMENDATIONS VERY SERIOUSLY. THEY WILL CONTINUE TO COME TO COUNCIL MEETINGS UNTIL THEY GET SOLUTIONS TO THE PROBLEMS THAT FACE THE COMMUNITY. SHE ACCUSED COUNCIL PRESIDENT BEAL OF PUBLICLY INSULTING REV. STONE AT LAST WEEK'S MEETING.

REVEREND ANDREW BRODY OF 1114 GLENN SAID THAT THE STORMWATER ENTERPRISE FUND IS JUST ANOTHER LAW THAT ALLOWS THE PUBLIC SERVICE DEPARTMENT TO ROB THE RESIDENTS OF THIS CITY. THIS IS CLEARLY AN ILLEGAL TAX INCREASE.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO URGED COUNCILMEMBERS TO PURSUE IMPLEMENTATION OF THE RECOMMENDATIONS THAT WERE SUBMITTED BY THE MARCH FOR JUSTICE LAST MONDAY NIGHT. HE REPORTED THAT THE CITY CLERK AND CITY ATTORNEY HAVE RESPONDED TO HIS REQUEST FOR INFORMATION REGARDING THE INITIATIVE PETITION PROCESS. HE SAID THAT HE LOOKS FORWARD TO ENGAGING IN A DIALOGUE CIRCLE WITH MAYOR HOLLISTER AND POLICE CHIEF BOLES TOMORROW NIGHT ON WKAR TELEVISION.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SPOKE REGARDING THE DEATH OF EDWARD SWANS AT THE LANSING CITY JAIL 11 MONTHS AND 19 DAYS AGO. HE STATED THAT THIS IS A MORAL ISSUE, NOT A RACIAL ISSUE. THERE ARE BAD ELEMENTS IN THE POLICE DEPARTMENT THAT HAVE GONE UNCHECKED FOR YEARS.

ALEX BOLT OF 1230 REO RD.. SPOKE IN SUPPORT OF THE RESOLUTION SETTING A PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ORDINANCE.

KATHY LANGSCHWAGGER OF 1328 PROSPECT SPOKE IN SUPPORT OF THE RESOLUTION SETTING A PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ORDINANCE. SHE SAID THAT IT IS FORTUNATE THAT MANY OF MAYOR HOLLISTER'S AND THE MARCH FOR JUSTICES' RECOMMENDATIONS PARALLEL EACH OTHER.

ROBERT PRODZICK OF 3131 W. MT. HOPE SPOKE IN SUPPORT OF THE RESOLUTION SETTING A PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ORDINANCE.

AMMAHAD SHEKARAKKI OF 902 WILLOW ST. SPOKE IN SUPPORT OF THE RECOMMENDATIONS BY THE MARCH FOR JUSTICE. THEY ARE DEMANDING THEIR RIGHTS, AND THEY WILL GET THEM, WHATEVER IT TAKES. RACE RELATIONS ARE WORSE NOW THAN THEY WERE WHEN DR. KING MARCHED IN 1968.

CONNIE DELANEY OF 3721 AURELIUS RD.. SPOKE IN SUPPORT OF THE RESOLUTION SETTING A PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ORDINANCE.

## COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

A. LETTER FROM REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH REQUESTING SPEAKING TIME ON THE AGENDA FOR DISCUSSION OF THE MARCH FOR JUSTICE ISSUES

RECEIVED AND PLACED ON FILE

B. LETTER FROM THE STATE OF MICHIGAN, DEPARTMENT OF ENVIRONMENTAL QUALITY IN RESPONSE TO QUESTIONS OF HELEN M. FISER REGARDING THE COMBINED SEWER OVERFLOW PROJECT

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

C. NOTICE OF INTENT TO TAKE RESERVATIONS AND DEVELOP UNITS IN A PROPOSED RESIDENTIAL CONVERSION CONDOMINIUM PROJECT FROM FAIRFIELD PLACE OF 6249 BEECHFIELD, LANSING

REFERRED TO THE MAYOR

D. LETTER FROM CHRISTINE TIMMON SUBMITTING A REBUTTAL TO THE RECOMMENDATIONS FROM THE MARCH FOR JUSTICE

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

E. REQUEST FOR RECOGNITION OF NON-PROFIT STATUS FROM LOAVES & FISHES OF 831 N. SYCAMORE

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

F. LETTER FROM DICK INGERSOLL OF 124 RUMSEY IN SUPPORT OF THE POLICE DEPARTMENT AND OBJECTING TO POLICY OR PROCEDURAL CHANGES

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

G. LETTER FROM MR. & MRS. DOUGLAS WILEY, NO ADDRESS GIVEN, REQUESTING THAT THE HEARING OF THEIR STORMWATER APPEAL BE DELAYED UNTIL SOMETIME IN THE MONTH OF MAY

REFERRED TO THE MAYOR AND THE COMMITTEE ON GENERAL SERVICES

H. LETTER FROM DR. MARK MILLS ON BEHALF OF DAVID L. RUSSELL OF 112 E. CLAREMORE REQUESTING THAT HE BE EXEMPTED FROM THE REQUIREMENTS OF THE SNOW REMOVAL PROVISIONS OF THE CODE OF ORDINANCES

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

### MAYOR'S COMMENTS

MAYOR HOLLISTER STATED THAT HE HAS NAMED ART WALKER AS HIS DESIGNEE TO WORK WITH THE PUBLIC SAFETY COMMITTEE AND THE MARCH FOR JUSTICE ON THE IMPLEMENTATION OF RECOMMENDATIONS. HE WILL BE REPRESENTING THE MAYOR TOMORROW AT THE WKAR DIALOGUE CIRCLE, BECAUSE HE (HOLLISTER) WILL BE AT ANOTHER MEETING WITH THE SCHOOL DISTRICT REGARDING TEST SCORES AND STUDENT ACHIEVEMENT.

HE SAID THAT HE DOES NOT BELIEVE THAT THERE HAS BEEN ANY MISMANAGEMENT OF THE STORMWATER ENTERPRISE FUND. THERE ARE MANY APPEALS STILL PENDING, BECAUSE COUNCIL HAS NOT COMPLETED THEIR PROCESS. COMPLIANCE WITH THE REQUIREMENTS OF THIS ORDINANCE IS UP 50% OVER LAST YEAR AND COMPLAINTS ARE DOWN SUBSTANTIALLY. THEY HAVE SENT OUT RFP'S FOR A CONSULTANT TO STUDY THE FUND AND WOULD EXPECT TO SEE THE RESULTS OF THE STUDY BY BUDGET TIME. IF THIS ORDINANCE IS REPEALED, IT COULD HAVE A SUBSTANTIAL IMPACT ON THE CITY'S CREDIT RATING. IF COUNCIL IS GOING TO REPEAL THE ORDINANCE, THERE MUST BE AN ALTERNATIVE FUNDING SOURCE PUT IN PLACE SIMULTANEOUSLY. HE URGED COUNCIL TO DELAY THE HEARING UNTIL MAY.

HE ANNOUNCED THAT THE PLANNING DEPARTMENT IS HAVING A "HOME OWNERS NIGHT OUT" AT THE SOUTH SIDE POLICE PRECINCT FROM 4:00 P.M. TO 7:00 P.M. THIS WILL ALLOW HOMEOWNERS TO APPLY FOR AND RECEIVE PERMITS, OR LICENSES, AFTER HOURS AT THAT LOCATION. THEY ARE PLEASED TO BE ABLE TO OFFER THIS ADDITIONAL ACCESSIBILITY TO CITY CODE REQUIREMENTS.

COUNCILMEMBER LILLY QUESTIONED MAYOR HOLLISTER RELATIVE TO A SITUATION WITH THE PROPERTY AT THE SOUTHEAST CORNER OF S. PENNSYLVANIA AVE. AND MT. HOPE. ABANDONED VEHICLES ARE BEING PARKED IN THE PARKING LOT OF THE VACANT BUILDING AT THAT LOCATION.

COUNCILMEMBER ALLEN CONCURRED WITH COUNCILMEMBER LILLY'S CONCERN AND SUGGESTED THAT THE ADMINISTRATION LOOK INTO ERECTING SOME TYPE OF BARRICADE, MAKING IT IMPOSSIBLE FOR PEOPLE TO DRIVE THEIR CARS ONTO THE PROPERTY. SHE STATED A COMPLAINT FROM A CONSTITUENT AS TO THE AVAILABILITY OF DOG LICENSES.

COUNCILMEMBER BENAVIDES AGREED THAT ERECTING A BARRIER ON THE PARKING LOT AT THE CORNER OF S. PENNSYLVANIA AND MT. HOPE WOULD PROVIDE A

SOLUTION TO THE PROBLEM. THE SAME SITUATION EXISTED WITH A PROPERTY AT HOLMES AND LOGAN AND WAS CLEARED UP BY ERECTING BARRICADES.

COUNCILMEMBER NOVAK ASKED MAYOR HOLLISTER ABOUT THE SHOOTINGS ON S. WASHINGTON NEAR "MAC'S BAR". MAYOR HOLLISTER RESPONDED THAT HE IS NOT PREPARED TO DISCUSS THESE SHOOTINGS AT THIS TIME.

COUNCILMEMBER LEEMAN SAID THAT HE WANTS TO SEE THIS PROPERTY (THE OLD TEAMSTERS HALL) KEPT CLOSED. THERE IS A "PARTY PLACE" BEING OPERATED THERE.

COUNCILMEMBER BAUER COMMENDED THE PUBLIC SERVICE DEPARTMENT ON THE FINE JOB THEY DID WITH SNOW REMOVAL OVER THE COURSE OF THE LAST TWO WEEKS. HOWEVER, SEVERAL ELDERLY, OR HANDICAPPED PEOPLE CANNOT GET THE SNOW OUT OF THEIR DRIVEWAYS THAT THE SNOW FLOWS ARE PILING UP IN THEM.

#### **CITY OFFICER AND BOARD REPORTS**

##### **A. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:**

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

B. LETTER FROM CODE COMPLIANCE MANAGER, HENRY HERNANDEZ REQUESTING AN AMENDMENT TO CHAPTER 1460, SECTION 1460.04(23) REGARDING ABANDONED/DISABLED MOTOR VEHICLES

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

C. LETTER FROM ASSISTANT CITY ATTORNEY JACK C. JORDAN SUBMITTING PROPOSED AMENDMENTS TO THE ARTICLES OF INCORPORATION OF LEPFA

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

##### **D. LETTERS FROM THE MAYOR RE:**

1/ LETTER OF APPRECIATION FROM MARK CONTI, CONTI DEVELOPMENT CORPORATION

RECEIVED AND PLACED ON FILE

2/ LETTER OF APPRECIATION FROM SENATOR JOE CONROY REGARDING OLDSMOBILE PARK ICE SKATING RINK

RECEIVED AND PLACED ON FILE

3/ LETTER OF APPRECIATION FROM ANGELA DAVENPORT-SCOTT, EL-HAJJ MALIK EL-SHABAZZ ACADEMY REGARDING THE CITY OF LANSING'S DONATIONS TO THE TOYS FOR TOTS PROGRAM

RECEIVED AND PLACED ON FILE

4/ TRANSFER OF FUNDS: LPD, PARKS AND RECREATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ FUNDING FOR THE TRANSITION OF LANSING SCHOOL DISTRICT PROGRAMS TO PARKS AND RECREATION DEPARTMENT

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE COMMITTEE ON WAYS AND MEANS

6/ PUBLIC SERVICE BOARD APPROVAL FOR THE PUBLIC SERVICE DEPARTMENT'S PROPOSED BUDGET FOR FY 97-98

REFERRED TO THE COMMITTEE OF THE WHOLE

7/ PARK BOARD EVALUATION

RECEIVED AND PLACED ON FILE

#### **COMMITTEE REPORTS**

##### **RESOLUTION #006 REPORT OF COMMITTEE**

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REVISED RULES OF ADMINISTRATIVE PROCEDURE FOR THE LANSING PLANNING BOARD,

REPORTS AS FOLLOWS: THE COMMITTEE HAS REVIEWED THIS MAJOR REVISION TO THE BOARD'S RULES, AND HAS NO OBJECTIONS OR RECOMMENDATIONS. THE RULES ARE ATTACHED FOR TRANSMITTAL, SO THEY MAY BE PLACED ON FILE AND ALLOWED TO GO INTO EFFECT.

SIGNED: RICHARD J. LILLY, CHAIR  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY:

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.



CARRIED UNANIMOUSLY

**RESOLUTION #007**  
REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SAFETY, TO WHOM WAS REFERRED A REQUEST FROM THE PRINCIPAL AND PARENTS OF CAVANAUGH ELEMENTARY SCHOOL FOR CITY ASSISTANCE REGARDING TRAFFIC PROBLEMS AT THE SCHOOL,

REPORTS AS FOLLOWS: THE COMMITTEE DISCUSSED THIS MATTER AT LENGTH OVER TWO MEETINGS WITH TRANSPORTATION DIVISION STAFF, PARENT REPRESENTATIVES, THE PRINCIPAL, AND A REPRESENTATIVE OF THE SCHOOL DISTRICT'S SECURITY OFFICE. AFTER SEVERAL ALTERNATIVES WERE SUGGESTED AND DISCARDED, THE COMMITTEE VOTED TO REQUEST THAT THE MAYOR ASSIGN A POLICE OFFICER TO THE SCHOOL OVER A SEVERAL DAY PERIOD. THE OFFICER IS REQUESTED TO MONITOR TRAFFIC ON CAVANAUGH ROAD, ENFORCE TRAFFIC LAWS AT THE DRIVEWAY TO THE SCHOOL PARKING LOT, ENSURE THE SAFETY OF THE STUDENTS, AND OFFER RECOMMENDATIONS ON A LONG-TERM SOLUTION IN A REPORT BACK TO THE COMMITTEE. THIS ITEM WILL BE HELD AS PENDING IN THE COMMITTEE.

SIGNED: SANDY ALLEN  
TONY BENAVIDES  
PAUL NOVAK

BY COUNCILMEMBER ALLEN:

THAT THE REPORT OF THE COMMITTEE BE RECEIVED AND REFERRED TO THE MAYOR.

CARRIED UNANIMOUSLY

**RESOLUTIONS**

**RESOLUTION # 008**  
BY COUNCILMEMBER LILLY:  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, FEBRUARY 10, 1997, AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE PROPOSED SPECIAL LAND USE PERMIT, SLU-9-96/ACT-23-96, 925 STANLEY STREET, CELLULAR TOWER ON PARK LAND.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL,

BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

**RESOLUTION #009**  
BY COUNCILMEMBER LILLY:  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, FEBRUARY 10, 1997, AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE PROPOSED SPECIAL LAND USE PERMIT, SLU-10-96, 510 W. WILLOW STREET, RESIDENTIAL CARE FACILITY.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

**RESOLUTION #010**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING

WHEREAS, THE CITY HAS PROMOTED AND SUPPORTED EFFORTS TO BRING ABOUT NEIGHBORHOOD IMPROVEMENT THROUGHOUT THE CITY BY SPONSORING ACTIVITIES WHICH INCLUDE ACQUISITION AND REMOVAL OF HOUSING ON A LIMITED BASIS TO ADDRESS DILAPIDATED HOUSING, OVERCROWDING OR REDEVELOPMENT; AND

WHEREAS, THE LANSING CITY COUNCIL IN RESOLUTION # 388, ADOPTED AUGUST 26, 1996, AUTHORIZED THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS TO ACQUIRE THE VACANT DILAPIDATED RESIDENTIAL STRUCTURE LOCATED AT 117 CLIFFORD STREET, AND TO RECOMMEND THE TERMS OF THE PURCHASE OF THE PROPERTY TO THE COMMITTEE ON DEVELOPMENT AND PLANNING ONCE NEGOTIATIONS ARE COMPLETED; AND

WHEREAS, A PURCHASE PRICE FOR THE PROPERTY IN THE AMOUNT OF \$11,500.00, THE APPRAISED VALUE OF THE PROPERTY, HAS BEEN NEGOTIATED WITH THE OWNER, COMMUNITY FIRST BANK, BY THE ADMINISTRATION; AND

WHEREAS, THE CITY CHARTER AND CHAPTER 208 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING REQUIRE CITY COUNCIL APPROVAL OF THE ACQUISITION AND DISPOSITION OF REAL PROPERTY;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL AUTHORIZE THE ACQUISITION OF THE PROPERTY LOCATED AT 117 CLIFFORD AVENUE, MORE PARTICULARLY DESCRIBED AS:

THE NORTH 27 1/2 FEET OF LOT 51 AND THE SOUTH 5 1/2 FEET OF LOT No.52, PLAT OF HARRAH'S ADDITION TO THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

FOR THE PURCHASE PRICE OF \$11,500.00, ESTABLISHED AS THE FAIR MARKET VALUE OF THE PROPERTY IN THE APPRAISAL PREPARED FOR THE CITY IN NOVEMBER 1996.

BE IT FURTHER RESOLVED THE CITY COUNCIL WAIVES THE ACT 285 REVIEW AND THE CITY POLICY OF AN ENVIRONMENTAL ASSESSMENT.

BE IT FURTHER RESOLVED THAT UPON ACQUISITION, THE STRUCTURE ON THE PROPERTY SHALL BE RAZED AND THEREAFTER THE LAND MAY BE SPLIT AND OFFERED FOR SALE FOR A NOMINAL FEE OF \$1.00 PER FRONT FOOT PLUS ALL CLOSING COSTS TO THE ADJACENT PROPERTY OWNERS FOR USE AS ADDITIONAL SIDE YARD FOR THEIR RESIDENTIAL PROPERTIES.

BE IT FURTHER RESOLVED THAT ALL COSTS TO ACQUIRE AND REMOVE THE STRUCTURE SHALL BE PAID FROM THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND THAT ANY PROCEEDS RESULTING FROM THE DISPOSITION OF THE PROPERTY SHALL BE RETURNED TO THAT PROGRAM.

BE IT FINALLY RESOLVED THE MAYOR IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESTATED TRANSACTION, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #011

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY HAS CREATED THE REPAIR AND MODERNIZATION LOANS FOR RENTALS PROGRAM (REMODLR), A LOAN PROGRAM AVAILABLE TO INDIVIDUAL PROPERTY OWNERS FOR THE REPAIR AND MODERNIZATION OF 1-5 UNIT RENTAL PROPERTIES; AND

WHEREAS, THE CITY WISHES TO UTILIZE THE

REMODLR PROGRAM IN COMBINATION WITH ITS OWN CDBG AND HOME FINANCED RENTAL REHABILITATION LOAN PROGRAMS AS A MEANS OF LEVERAGING THESE FUNDS AND INCREASING RENTAL REHABILITATION PRODUCTION; AND

WHEREAS, PURSUANT TO REQUIREMENTS OF THE PROGRAM, THE CITY MUST FORMALLY APPLY TO PARTICIPATE IN THE PROGRAM AS A REMODLR AGENT, AND STATE IN A RESOLUTION PASSED BY THE CITY COUNCIL THAT IT WISHES TO PARTICIPATE IN THE PROGRAM AND WORK WITH MSHDA TO IMPLEMENT AND ADMINISTER THE PROGRAM;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY AUTHORIZES THE MAYOR, AS THE CITY'S CHIEF EXECUTIVE OFFICER, TO APPLY FOR PARTICIPATION IN THE REMODLR PROGRAM AND TO HAVE THE CITY DESIGNATED AS A REMODLR AGENT TO IMPLEMENT AND ADMINISTER THE PROGRAM.

BE IT FINALLY RESOLVED THAT THE MAYOR IS AUTHORIZED, AS THE OFFICIAL REPRESENTATIVE OF THE CITY OF LANSING, TO PROVIDE ANY AND ALL INFORMATION TO BE INCLUDED IN THE APPLICATION, AND TO EXECUTE ALL AGREEMENTS AND LEGAL DOCUMENTS WITH MSHDA THAT MAY BE REQUIRED TO PARTICIPATE IN AND IMPLEMENT THE REMODLR PROGRAM SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #012

BY THE COMMITTEE ON  
DEVELOPMENT & PLANNING

WHEREAS, THE CITY HAS PROMOTED AND SUPPORTED EFFORTS TO BRING ABOUT REDEVELOPMENT OF THE SEVEN BLOCK NEIGHBORHOOD ACCORDING TO THE SEVEN BLOCK AREA DEVELOPMENT PLAN, WHICH THE CITY COUNCIL ADOPTED BY ORDINANCE AUGUST 3, 1993; AND

WHEREAS, PURSUANT TO THE PLAN, THE DEVELOPMENT OFFICE HAS ACQUIRED PROPERTIES LOCATED IN THE 900 BLOCK OF W. ST. JOSEPH STREET INCLUDING THE PROPERTY LOCATED AT 918 W. ST. JOSEPH; AND

WHEREAS, IT IS STIPULATED IN THE DEVELOPMENT PLAN THAT THE PROPERTY ACQUIRED IN THE 900 BLOCK OF W. ST. JOSEPH STREET SHALL AS A PRIORITY BE RESOLD TO PROMOTE ECONOMIC DEVELOPMENT AND EXPANSION OF EXISTING BUSINESS IN THE AREA; AND

WHEREAS, DONALD W. HOUGH, OWNER OF BRD PRINTING LOCATED AT 912 W. ST. JOSEPH STREET HAS OFFERED TO PURCHASE THE LOT LOCATED AT 918 W. ST. JOSEPH TO SUPPORT THE EXPANSION OF HIS BUSINESS; AND

WHEREAS, THE PROPOSAL TO EXPAND THE BUSINESS WOULD RESULT IN NEW EMPLOYMENT OPPORTUNITIES IN THE CITY AND IS CONSISTENT WITH THE SEVEN BLOCK DEVELOPMENT PLAN AND THE ZONING CODE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL AUTHORIZE THE SALE OF THE PROPERTY LOCATED AT 918 W. ST. JOSEPH STREET LEGALLY DESCRIBED AS:

THE WEST 1/2 OF LOT 17, BLOCK 7, BUSH BUTLER & SPARROW'S ADDITION, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

TO DONALD W. HOUGH, A PRIVATE BUSINESSMAN, FOR THE SUM OF SEVEN THOUSAND AND NO/100 (\$7,000.00) DOLLARS, THE MARKET VALUE OF THE PROPERTY ESTABLISHED BY INDEPENDENT APPRAISAL, PLUS ALL CLOSING COSTS.

BE IT FURTHER RESOLVED THAT ALL PROCEEDS FROM THE SALE OF THE PROPERTY SHALL BE RETURNED TO THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

BE IT FINALLY RESOLVED THAT THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESTATED SALE, SUBJECT TO PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER BEAL

CARRIED UNANIMOUSLY

**RESOLUTION #013**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED JENNIFER GRAU, 201 LATHROP STREET, TO THE HISTORIC DISTRICT COMMISSION, FOR A TERM TO EXPIRE JUNE 30, 1998; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING RECOMMENDS CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF JENNIFER GRAU TO THE HISTORIC

DISTRICT COMMISSION, FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #014**  
BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BY RESOLUTION #438 OF SEPTEMBER 16, 1996, THE COUNCIL APPROVED IN CONCEPT THE RECOMMENDATIONS OF THE DISTRICT LIBRARY PLANNING COMMITTEE AND EXPRESSED ITS INTENT TO EXECUTE AN ACCEPTABLE DISTRICT LIBRARY AGREEMENT, OR SUCH OTHER INTERGOVERNMENTAL AGREEMENT TO OPERATE AND FINANCE LIBRARY SERVICES WITH INGHAM COUNTY AND/OR THE LANSING SCHOOL DISTRICT NOT LATER THAN JANUARY 31, 1997; AND

WHEREAS, THE COUNCIL HAS NOW REVIEWED THE RECOMMENDATIONS OF THE LIBRARY CONSULTANT, PLANTE & MORAN, L. L. P., CONCERNING THE POTENTIAL FORMATION OF A DISTRICT LIBRARY;

NOW, THEREFORE, BE IT RESOLVED THAT THIS COUNCIL, BASED UPON THE RECOMMENDATIONS OF PLANTE & MORAN L.L.P., EXPRESSES ITS INTENT TO FORM A DISTRICT LIBRARY WITH THE COUNTY OF INGHAM TO INCLUDE TERRITORIES OF THE CITY OF LANSING AND THE COUNTY OF INGHAM, EXCLUDING EAST LANSING WHICH HAS ITS OWN LIBRARY SYSTEM; AND

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS REQUESTED TO NEGOTIATE A DISTRICT LIBRARY AGREEMENT WITH THE COUNTY OF INGHAM AND OTHER INTERESTED UNITS OF GOVERNMENT, TO BE APPROVED BY THE LANSING CITY COUNCIL, THE COUNTY OF INGHAM AND OTHER INTERESTED PARTICIPANTS, NO LATER THAN FEBRUARY 12, 1997; AND

BE IT FURTHER RESOLVED THAT THE DISTRICT LIBRARY AGREEMENT CONTAIN A PROVISION FOR AN APPOINTED LIBRARY BOARD; AND

BE IT FURTHER RESOLVED THAT THIS COUNCIL DESIRES THAT A VOTE OF THE ELECTORATE INCLUDED IN THE DISTRICT LIBRARY TERRITORY ON THE FINANCING OF THE DISTRICT LIBRARY OCCUR AT THE AUGUST PRIMARY ELECTION; AND

BE IT FINALLY RESOLVED THAT DELTA TOWNSHIP BE, AND HEREBY IS, INVITED TO PARTICIPATE IN THE FORMATION OF THE DISTRICT LIBRARY.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

**RESOLUTION #015**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM THE HUNTER PARK WEST NEIGHBORHOOD ORGANIZATION (HPWNO), TO PROHIBIT PARKING ON ONE SIDE OF BEMENT STREET FROM PENNSYLVANIA AVENUE TO HOLMES STREET. THE HPWNO FORWARDED THIS REQUEST FROM THE RESIDENTS OF BEMENT STREET BECAUSE THEY WERE CONCERNED ABOUT THE ABILITY OF VEHICLES TO MANEUVER DOWN BEMENT STREET WHEN TWO VEHICLES ARE PARKED ACROSS FROM EACH OTHER;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, THE HPWNO DISTRIBUTED FLYERS TO BEMENT STREET RESIDENTS INFORMING EACH HOUSEHOLD IN THE AFFECTED AREA OF THE SCHEDULE TO INSTALL NO PARKING SIGNS ON THE SOUTH SIDE OF BEMENT STREET FROM PENNSYLVANIA AVENUE TO HOLMES STREET;

WHEREAS, PURSUANT TO SECTION 2.53(2) OF THE LANSING CODE OF ORDINANCES THE TRANSPORTATION ENGINEER ON JUNE 12, 1996, ENACTED A TEMPORARY TRAFFIC CONTROL ORDER TO PROHIBIT PARKING ON THE SOUTH SIDE OF BEMENT STREET FROM PENNSYLVANIA AVENUE TO HOLMES STREET;

WHEREAS, SITE VISITS TO THE AREA AND DISCUSSIONS WITH TROY SPITZLEY, PRESIDENT OF THE HPWNO, HAVE CONFIRMED THAT THE TEMPORARY PARKING REGULATIONS ARE EFFECTIVE IN PROVIDING TWO TRAVERSABLE LANES ON BEMENT STREET BETWEEN PENNSYLVANIA AVENUE TO HOLMES STREET;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO MAKE PERMANENT THE TEMPORARY PARKING REGULATIONS;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE

RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER No. 96-054, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO PROHIBIT PARKING ON THE SOUTH SIDE OF BEMENT STREET FROM PENNSYLVANIA AVENUE TO HOLMES STREET;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER No. 96-054 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER AND FILED WITH THE CITY CLERK.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #016**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM RICHARD M. DISBROW OF JACKSON NATIONAL LIFE TO PROHIBIT PARKING ON THE SOUTH SIDE OF ANDREW JACKSON BOULEVARD FROM PENNSYLVANIA AVENUE TO EXECUTIVE DRIVE. MR. DISBROW MADE THIS REQUEST BECAUSE HE IS CONCERNED ABOUT CAR CARRIERS THAT DOUBLE PARKING ON ANDREW JACKSON BOULEVARD WHILE DELIVERING CARS TO CAPITOL CADILLAC, REDUCING ANDREW JACKSON BOULEVARD TO ONE TRANSVERSABLE TRAVEL LANE. ADDITIONALLY, MR. DISBROW IS CONCERNED ABOUT VEHICLES EXITING JACKSON NATIONAL LIFE PARKING LOT ONTO ANDREW JACKSON BOULEVARD AND PEDESTRIANS CROSSING AT THE INTERSECTION OF ANDREW JACKSON BOULEVARD AND EXECUTIVE DRIVE;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, THE TRANSPORTATION DIVISION HAS CONTACTED CAPITOL CADILLAC AND REQUESTED THAT THE CAR CARRIERS MAKE DELIVERIES ON CAPITOL CADILLAC'S PROPERTY;

WHEREAS, CAPITOL CADILLAC HAS AGREED TO REQUIRE CAR CARRIERS DRIVER TO UNLOAD CARS ON CAPITOL CADILLAC PROPERTY;

WHEREAS, THE TRAFFIC BOARD MODIFIED THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO PROHIBIT PARKING IN THE FOLLOWING AREAS: ON THE SOUTH SIDE OF ANDREW JACKSON BOULEVARD FROM 265 FEET WEST OF EXECUTIVE DRIVE TO 110 FEET WEST OF EXECUTIVE DRIVE AND FROM 60 FEET WEST OF EXECUTIVE DRIVE TO EXECUTIVE DRIVE; ON THE NORTH SIDE OF ANDREW JACKSON BOULEVARD FROM EXECUTIVE DRIVE TO 60 FEET WEST OF EXECUTIVE DRIVE; AND ON THE EAST SIDE OF EXECUTIVE DRIVE FROM 100 FEET SOUTH OF ANDREW JACKSON BOULEVARD TO 110 FEET NORTH OF ANDREW JACKSON BOULEVARD;

WHEREAS, THE TRAFFIC BOARD, THE TRANSPORTATION DIVISION, JACKSON NATIONAL LIFE, AND CAPITOL CADILLAC HAVE AGREED TO MONITOR CAR CARRIER ACTIVITIES AND TAKE THE APPROPRIATE ACTIONS TO DISCOURAGE UNLOADING ON ANDREW JACKSON BOULEVARD;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NUMBERS 96-058 AND 96-059, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO INSTALL THE ABOVE PARKING REGULATIONS ON ANDREW JACKSON BOULEVARD AND ON EXECUTIVE DRIVE;

BE IT FURTHER RESOLVED, THAT THE EXISTING PARKING REGULATIONS ARE DOCUMENTED ON THE TRAFFIC CONTROL ORDERS NO. 96-059, SUPPORTING THE HISTORICAL PARKING REGULATIONS ON EXECUTIVE DRIVE;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NUMBERS 96-058 AND 96-059 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER AND FILED WITH THE CITY CLERK AND THE APPROPRIATE SIGNS ARE INSTALLED.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #017

#### RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A PETITION TO INSTALL A MULTI-WAY STOP AT THE INTERSECTION OF ASHLEY DRIVE AND HAVERHILL DRIVE. THE PETITION WAS SIGNED BY THIRTY-TWO (32) RESIDENTS BECAUSE THEY WERE CONCERNED ABOUT SAFETY CHILDREN IN THE AREA BECAUSE OF THE SPEEDING TRAFFIC ON ASHLEY DRIVE;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS;

WHEREAS, THE TRANSPORTATION DIVISION RECOMMENDED TO DENY THE REQUEST INSTALL A MULTI-WAY STOP AT THE INTERSECTION OF ASHLEY DRIVE AND HAVERHILL DRIVE BECAUSE IT DOES NOT MEET THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL WARRANTS FOR A MULTI WAY STOP;

WHEREAS, THE TRANSPORTATION DIVISION RECOMMENDED TO INSTALL A YIELD SIGN ON HAVERHILL DRIVE AT THE INTERSECTION OF ASHLEY DRIVE BECAUSE OF THE LOW SAFE APPROACH SPEED;

WHEREAS, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY ALSO RECOMMENDED THE INSTALLATION OF SPEED LIMIT SIGNS ON ASHLEY DRIVE IN THE VICINITY OF HAVERHILL DRIVE;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NO. 96-060, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO INSTALL A YIELD SIGN ON HAVERHILL DRIVE AT THE INTERSECTION OF ASHLEY DRIVE, AND INSTALL A SPEED LIMIT SIGN AT AN APPROPRIATE LOCATION IN THAT VICINITY; AND,

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER No. 96-060 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER AND FILED WITH THE CITY CLERK AND THE APPROPRIATE SIGN IS INSTALLED.

BY COUNCILMEMBER ALLEN

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER NOVAK TO AMEND THE RESOLUTION IN THE "NOW THEREFORE BE IT RESOLVED" PARAGRAPH TO INSERT THE FOLLOWING LANGUAGE AT THE END OF THAT PARAGRAPH:

"AND INSTALL A SPEED LIMIT SIGN AT AN APPROPRIATE LOCATION IN THAT VICINITY"; AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

**RESOLUTION #018**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, FEDERAL FUNDS BECAME AVAILABLE THROUGH THE STATE OFFICE OF DRUG CONTROL POLICY FOR STREET LEVEL DRUG ENFORCEMENT IN THE SPRING OF 1987; AND

WHEREAS THE CITY, AS THE GRANTEE, SUBMITTED AN APPLICATION FOR A CONTINUATION OF OUR NEIGHBORHOOD PROBLEM SOLVING PROGRAM FOR THE LANSING POLICE DEPARTMENT; AND

WHEREAS, THE CITY HAS BEEN RECENTLY ADVISED THAT A GRANT IN THE TOTAL AMOUNT OF \$589,662 (FEDERAL SHARE \$353,797; LOCAL MATCH OF \$235,865) HAS BEEN APPROVED; AND

WHEREAS, THESE MONIES WILL BE USED TO PAY PERSONNEL EXPENSES TOTALING \$549,097 FOR SALARIES AND FRINGE BENEFITS, AND AN ADDITIONAL \$40,565 FOR A SUBCONTRACT WITH THE LANSING NEIGHBORHOOD COUNCIL. TOTAL CITY STAFFING SHALL INCLUDE FOUR (4) COMMUNITY POLICE OFFICERS, ONE (1) DARE YOUTH COORDINATOR P.O. 1, ONE (1) LANDLORD/TENANT DETECTIVE, ONE (1) COMMUNITY POLICE OFFICER SERGEANT, AND ONE (1) ASSISTANT CITY ATTORNEY (BIWEEKLY CONTRACTUAL POSITION, PAID \$50,905 IN WAGES AND \$10,181 FOR HEALTH CARE AND OTHER BENEFITS). THE CONTRACT WITH THE LANSING NEIGHBORHOOD COUNCIL PROVIDES CONTRACT SALARIES FOR ONE (1) LANDLORD/TENANT ORGANIZER AND PART-TIME SECRETARIAL HELP, AND \$2,796 FOR NECESSARY SUPPLIES AND OPERATING

EXPENSES; AND

WHEREAS, BASED ON YEAR-TO-DATE ACTIVITY AND FORFEITURES RECEIVED, THE DEPARTMENT ESTIMATES AN INCREASED REVENUE OF AT LEAST \$8,415 FOR FY97; AND

WHEREAS, GRANT MATCHING FUNDS OF \$197,036 WERE ALLOCATED IN THE LANSING POLICE DEPARTMENT OPERATING TRANSFER GRANT MATCH ACCOUNT TO COVER R.E.A.C.H. MATCHING REQUIREMENTS FOR THIS GRANT, AND WHEREAS AN ADDITIONAL \$25,770 IS AVAILABLE IN UNALLOCATED FUNDS WITHIN THAT ACCOUNT; AND

WHEREAS, THE ABOVE AMOUNTS, IN COMBINATION NINTH REACH FORFEITURE FUND FUND BALANCE AT JUNE 30, 1996 (\$4,644), TOTAL THE MATCHING FUNDS REQUIREMENT OF \$235,865; AND

WHEREAS, THE MAYOR HAS RECOMMENDED ACCEPTANCE OF THIS GRANT;

NOW, THEREFORE, IS IT RESOLVED, THE LANSING CITY COUNCIL APPROVES ACCEPTANCE OF FEDERAL GRANT FUNDS IN THE AMOUNT OF \$589,662 FOR THE CONTINUATION OF THE NEIGHBORHOOD PROBLEM SOLVING GRANT WITHIN THE R.E.A.C.H. PROGRAM; AND

FURTHER, THAT THE INCREASE TO R.E.A.C.H. ESTIMATED REVENUES OF \$8,415, AND REACH FORFEITURE FUND FUND BALANCE OF \$4,644, ARE TO BE UTILIZED IN COMBINATION WITH AN INCREASED APPROPRIATION FROM THE LANSING POLICE DEPARTMENT OPERATING TRANSFER-GRANT MATCH ACCOUNT, TO EQUAL THE TOTAL LOCAL MATCH REQUIREMENT OF \$235,865; AND

BE IT FINALLY RESOLVED, THAT THE ADMINISTRATION IS HEREBY AUTHORIZED TO MAKE THE NECESSARY OPERATING TRANSFER FROM THE FORFEITURE FUND R.E.A.C.H. OPERATING TRANSFER MATCHING FUNDS ACCOUNT (A/C 265-343254-991273-0) AND TO CREATE APPROPRIATE ACCOUNTS WITHIN THE FEDERAL AND STATE PROGRAMS FUND FOR THE EXPENDITURE AND CONTROL OF THIS GRANT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #019**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$37.00	PARKS MILLAGE-TREE PLANTING 412-933821-974000-46031	
\$53.47	PARKS MILLAGE-FENNER RENOVATION 412-933890-974000-46043	
\$9,046.58	PARKS MILLAGE-GIER CC LOT RENOVATION 412-933890-974000-46053	
\$3,928.13	PARKS MILLAGE-SCOTT WOODS BRIDGE 412-933890-974000-46065	
\$26,934.82	PARKS MILLAGE-CONTINGENCY 412-933890-992000-46020	
\$40,000		DESIGN CONSULTANT 412-933890-743000-46042

(ADDITIONAL OUTSIDE PROFESSIONAL SERVICES THROUGH 6/30/97. FUNDING REPRESENTS CLOSE-OUT OF COMPLETED PROJECTS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$2,085	ESTIMATED REVENUE-GENERAL FUND 101-0-170001-0	PUBLIC SERVICE-CONTROL 101-453603-992200-0
\$2,085	PUBLIC SERVICE-CONTROL 101-453603-992200-0	DONATIONS-EMPLOYEE RECOGNITION 101-453603-741871-0

(DONATIONS FROM NUMEROUS SOURCES FOR EMPLOYEE RECOGNITION-PUBLIC SERVICE. REVENUE DETAIL ACCOUNT 101-0-675000-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$9,000	ESTIMATED REVENUE-STATE & FEDERAL PROGRAMS 273-0-170001-0	NYPPP-MISC. & OPER. EXPENSES 273-6725000-741000-17806

(MICHIGAN DEPARTMENT OF PUBLIC HEALTH GRANT TO HELP UNDERWRITE COST OF "SUMMER CHILL II". REVENUE DETAIL ACCOUNT 273-0-501204-17806.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$20,050	ESTIMATED REVENUE-STATE & FEDERAL PROGRAMS 273-0-170001-0	TURNER STREET SITE ASSESSMENT 273-933690-971005-43807

(APPROPRIATION OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT FOR PHASE I AND PHASE II SITE ASSESSMENT. MDEQ # 454715-68. REVENUE DETAIL ACCOUNT 273-0-579211-43807.)

~~\$230,000 FROM INFRA. PUBLIC SAFETY DEBT 410-933690-991101-43829~~  
~~—\$230,000 TO INFRASTRUCTURE FACILITY STUDY 410-933690-743707-43836~~

~~(REQUESTED STUDY TO DETERMINE CONDITION, USE, AND NEED FOR ALL CITY BUILDINGS. EXPENDITURE OF FUNDS FOR STUDY OF THE WASHINGTON SQUARE ANNEX BUILDING'S CONDITION MUST BE REVIEWED BY CITY COUNCIL)~~

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$9,819	EST. REVENUE-STATE & FEDERAL PROGRAMS 273-0-170001-0	
\$3,548.40		LPD OVERTIME 273-343251-708100-17718
\$1,383.60		LPD FRINGE BENEFITS 273-343251-715000-17718
\$ 980		LPD -MISC. EXPENSES 273-343251-741000-17718
\$3,907		INGHAM COUNTY SATURATION PATROL 273-343251-960002-17718

(COMMUNITY BASED ALCOHOL ENFORCEMENT PROGRAM REVISION OF GRANT AMOUNT FROM \$2,747.84 TO AMOUNT SHOWN. PREVIOUS AMOUNT APPROVED IN RESOLUTION #572. REVENUE DETAIL ACCOUNT 273-052001-17718.)

BY COUNCILMEMBER JONES

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER BEAL TO PULL THE TRANSFER FOR INFRASTRUCTURE FACILITY STUDY IN THE AMOUNT OF \$230,000, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

#### RESOLUTION #020

BY THE COMMITTEE ON WAYS AND MEANS  
 RESOLVED BY THE CITY COUNCIL OF  
 THE CITY OF LANSING

WHEREAS, \$30,000 WAS APPROPRIATED BY CITY COUNCIL THROUGH RESOLUTION #084 OF FEBRUARY 19, 1996 FOR THE GREATER LANSING SENIOR

CHALLENGE; AND

WHEREAS, MURDOCK JEMERSON, MANAGER OF LEISURE AND SPECIAL RECREATION SERVICES FOR THE CITY, HAS REPORTED THAT THE PROGRAM WAS A SUCCESS,<sup>1</sup> AND

WHEREAS, A BALANCE OF \$10,071 REMAINS FOLLOWING THE 1996 SENIOR CHALLENGE; AND

WHEREAS, THE SENIOR CHALLENGE PLANNING COMMITTEE RECOMMENDS THAT THE SENIOR CHALLENGE BE CONDUCTED AGAIN DURING THE FALL OF 1997; AND

WHEREAS, CONTINUATION OF THIS PROGRAM IS CONSISTENT WITH CITY COUNCIL RESOLUTIONS #684 OF NOVEMBER 6, 1995 AND #471 OF OCTOBER 14, 1996.

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL AUTHORIZES THE UTILIZATION OF THE \$10,071 FOR THE 1997 SENIOR CHALLENGE AND THAT ANY APPROPRIATION NOT EXPENDED AT THE END OF FY 97 FOR THIS PROGRAM BE CARRIED FORWARD INTO FY 98 FOR THE 1997 SENIOR CHALLENGE.

BY COUNCILMEMBER JONES  
CARRIED UNANIMOUSLY

#### RESOLUTION #021

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE FORESTRY SECTION OF THE PARKS AND RECREATION DEPARTMENT HAS BEEN AWARDED A COMMUNITY FORESTRY GRANT FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES IN THE SUM OF \$6,525 FOR THE PURPOSE OF DEVELOPING A FORESTRY MASTER PLAN AND PROVIDING EMPLOYEE TRAINING; AND

WHEREAS, THE CITY OF LANSING'S MATCH FOR SERVICES HAS BEEN BUDGETED IN ACCOUNT #101-783821-741000-0; AND

WHEREAS, THERE IS NO OTHER FINANCIAL IMPACT ON THE CITY OF LANSING FROM ACCEPTANCE OF THIS GRANT.

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL AUTHORIZES THE ACCEPTANCE OF THE \$6,525 GRANT FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES; AND

BE IT FURTHER RESOLVED THAT THE MAYOR BE

AUTHORIZED TO PLACE THIS FUNDING IN AN APPROPRIATE EXPENDITURE ACCOUNT FOR ADMINISTRATION OF THIS GRANT UPON AWARD.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #022

NOTICE OF INTENT TO ISSUE BONDS  
FOR PUBLIC SERVICE DEPARTMENT  
COMBINED SEWER OVERFLOW PROJECT  
CITY OF LANSING

COUNTIES OF INGHAM AND EATON, MICHIGAN

WHEREAS, THE STATE OF MICHIGAN WATER RESOURCES COMMISSION HAS ISSUED A WASTEWATER TREATMENT FACILITIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. MI 0023400 (THE "NPDES PERMIT") REQUIRING THE CITY OF LANSING (THE "CITY") TO CONSTRUCT CERTAIN COMBINED SEWER OVERFLOW CONTROL IMPROVEMENTS; AND

WHEREAS, ACT 320, PUBLIC ACTS OF MICHIGAN, 1927, AS AMENDED, REPEALED AND RECODIFIED BY ACT 451, PUBLIC ACTS OF MICHIGAN, 1994, AS AMENDED ("ACT 451") ENABLES A CITY TO ISSUE AND SELL BONDS TO FINANCE CONSTRUCTION OF IMPROVEMENTS REQUIRED BY A PERMIT ISSUED BY THE STATE OF MICHIGAN WATER RESOURCES COMMISSION; AND

WHEREAS, THE CITY COUNCIL OF THE CITY INTENDS TO AUTHORIZE THE ISSUANCE OF LIMITED TAX GENERAL OBLIGATION BONDS PURSUANT TO ACT 451 IN ONE OR MORE SERIES AT AN ESTIMATED INTEREST RATE OF 2.25% AND IN AN AGGREGATE AMOUNT NOT TO EXCEED \$6,500,000 FOR THE PURPOSE OF FINANCING THE SUBAREA 022 WEST COMBINED SEWER SEPARATION, THE RED CEDAR EXPRESS OUTLET AND THE HARTON PUMP STATION TRIBUTARY SEWER SEPARATION (THE "IMPROVEMENTS"), INCLUDED IN PHASE II, SEGMENT 4 OF THE COMBINED SEWER OVERFLOW IMPROVEMENTS PROJECT PLAN REQUIRED BY THE NPDES PERMIT, WHICH BONDS WILL BE PAYABLE FROM FUNDS LAWFULLY AVAILABLE TO THE CITY FOR THIS PURPOSE SUCH AS REVENUES DERIVED FROM THE OPERATION OF THE CITY'S SEWAGE DISPOSAL SYSTEM, STORM WATER ENTERPRISE FEES, AND AD VALOREM TAXES PURSUANT TO A PLEDGE OF THE CITY'S LIMITED TAX FULL FAITH AND CREDIT; AND

WHEREAS, NOTICE OF INTENT TO ISSUE BONDS MUST BE PUBLISHED AT LEAST FORTY-FIVE (45) DAYS BEFORE THE ISSUANCE OF THE SAME IN ORDER TO COMPLY WITH THE REQUIREMENTS OF SECTION 5(G) OF ACT 279,



PUBLIC ACTS OF MICHIGAN, 1909, AS AMENDED; AND

WHEREAS, THE CITY MUST APPOINT BOND COUNSEL FOR THE ISSUANCE OF THE BONDS, AND

WHEREAS, PRIOR TO ISSUANCE OF EACH SERIES OF BONDS THE CITY MUST EITHER RECEIVE PRIOR APPROVAL OF THE BONDS FROM THE MICHIGAN DEPARTMENT OF TREASURY OR BE EXEMPT FROM PRIOR APPROVAL AS PROVIDED IN CHAPTER III, SECTION 11, OF ACT 202, PUBLIC ACTS OF MICHIGAN, 1943, AS AMENDED;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. THE CITY CLERK IS HEREBY AUTHORIZED AND DIRECTED TO CAUSE A NOTICE OF INTENT TO ISSUE BONDS TO BE PUBLISHED, ON OR BEFORE JANUARY 27, 1997, IN THE LANSING STATE JOURNAL, A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY, AS A DISPLAY ADVERTISEMENT AT LEAST 1/4 PAGE IN SIZE.

2. SAID NOTICE OF INTENT SO PUBLISHED SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS  
OF THE CITY OF LANSING  
OF INTENT TO ISSUE BONDS  
SECURED BY THE TAXING  
POWER OF THE CITY AND  
RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE THAT THE CITY COUNCIL OF THE CITY OF LANSING, COUNTIES OF INGHAM AND EATON, MICHIGAN, INTENDS TO AUTHORIZE THE ISSUANCE OF LIMITED TAX GENERAL OBLIGATION BONDS OF THE CITY IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,500,000 FOR THE PURPOSE OF FINANCING THE SUBAREA 022 WEST COMBINED SEWER SEPARATION, THE RED CEDAR EXPRESS OUTLET AND THE HARTON PUMP STATION TRIBUTARY SEWER SEPARATION (THE "IMPROVEMENTS"), INCLUDED IN PHASE II, SEGMENT 4 OF THE COMBINED SEWER OVERFLOW IMPROVEMENTS PROJECT PLAN REQUIRED BY THE NPDES PERMIT. SAID BONDS SHALL MATURE IN NOT TO EXCEED THIRTY (30) ANNUAL INSTALLMENTS WITH INTEREST PAYABLE ON THE UNPAID BALANCE AT AN ESTIMATED INTEREST RATE OF 2.25%, TO BE CONCLUSIVELY DETERMINED AT THE TIME OF SALE OF THE BONDS.

#### SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS SHALL BE PAYABLE PRIMARILY FROM FUNDS LAWFULLY AVAILABLE TO THE CITY FOR THIS PURPOSE SUCH AS REVENUES DERIVED FROM THE OPERATION OF THE

CITY'S SEWAGE DISPOSAL SYSTEM, STORMWATER ENTERPRISE FEES, AND AD VALOREM TAXES PURSUANT TO A PLEDGE OF THE CITY'S LIMITED TAX FULL FAITH AND CREDIT. AD VALOREM TAXES MAY NOT BE LEVIED IN EXCESS OF THE CITY'S CHARTER TAX RATE LIMITATION FOR THIS PURPOSE.

#### RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING AN ELECTION ON THE QUESTION OF ISSUING THE BONDS SIGNED BY NOT LESS THAN TEN PERCENT (10%) OF THE REGISTERED ELECTORS IN THE CITY IS FILED WITH THE CITY COUNCIL BY DEPOSIT WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH A PETITION IS FILED, THE BONDS CANNOT BE ISSUED WITHOUT AN APPROVING VOTE BY A MAJORITY OF ELECTORS VOTING ON THE QUESTION.

THIS NOTICE IS GIVEN PURSUANT TO THE REQUIREMENTS OF SECTION 5(G) OF ACT 279, PUBLIC ACTS OF MICHIGAN, 1909, AS AMENDED. FURTHER INFORMATION CONCERNING THE MATTERS SET OUT IN THIS NOTICE MAY BE SECURED FROM THE CITY CLERK'S OFFICE.

CITY CLERK

3. THE CITY COUNCIL HEREBY DETERMINES THAT THE FOREGOING FORM OF NOTICE OF INTENT TO ISSUE BONDS AND THE MANNER OF PUBLICATION DIRECTED IS ADEQUATE NOTICE TO THE ELECTORS AND TAXPAYERS OF THE CITY AND IS WELL CALCULATED TO INFORM THEM OF THE INTENTION OF THE CITY TO ISSUE THE BONDS, THE PURPOSE OF THE BONDS, THE SECURITY FOR THE BONDS, AND THE RIGHT OF REFERENDUM OF THE ELECTORS WITH RESPECT THERETO, AND THAT THE PROVISION OF FORTY-FIVE (45) DAYS WITHIN WHICH TO FILE A REFERENDUM PETITION IS ADEQUATE TO INSURE THAT THE CITY'S ELECTORS MAY EXERCISE THEIR RIGHT OF REFERENDUM WITH RESPECT TO THE BONDS.

4. IN ORDER TO COMPLY WITH FEDERAL TREASURY REGULATION §1.150-2, THE CITY COUNCIL STATES THAT THE CITY INTENDS TO REIMBURSE EXPENDITURES FOR COMBINED SEWER OVERFLOW CONTROL IMPROVEMENTS WITH PROCEEDS OF BONDS, INCLUDING THE BONDS DESCRIBED IN THIS RESOLUTION, BY MAKING THE FOLLOWING DECLARATION:

(A) THE CITY REASONABLY EXPECTS TO REIMBURSE ITSELF FOR THE EXPENDITURES MADE TO ACQUIRE THE IMPROVEMENTS WITH PROCEEDS OF DEBT TO BE INCURRED BY THE CITY.

(B) THE MAXIMUM PRINCIPAL AMOUNT OF DEBT EXPECTED TO BE ISSUED FOR REIMBURSEMENT PURPOSES INCLUDING BOND ISSUANCE COSTS IS \$6,500,000.

(C) A REIMBURSEMENT ALLOCATION OF THE EXPENDITURES FOR THE IMPROVEMENTS WITH THE PROCEEDS OF THE BORROWING DESCRIBED HERE WILL OCCUR NOT LATER THAN 18 MONTHS AFTER THE LATER OF (I) THE DATE ON WHICH THE EXPENDITURE IS PAID, OR (II) THE DATE OF IMPROVEMENTS ARE PLACED IN SERVICE OR ABANDONED, BUT IN NO EVENT MORE THAN THREE (3) YEARS AFTER THE ORIGINAL EXPENDITURE IS PAID. A REIMBURSEMENT ALLOCATION IS AN ALLOCATION IN WRITING THAT EVIDENCES THE CITY'S USE OF THE PROCEEDS OF THE DEBT TO BE ISSUED FOR THE IMPROVEMENTS TO REIMBURSE THE CITY FOR A CAPITAL EXPENDITURE MADE PURSUANT TO THIS RESOLUTION.

(D) THIS RESOLUTION IS ADOPTED TO INDICATE THE INTENT OF THE CITY ONLY, AND DOES NOT BIND THE CITY TO ACQUIRE AND CONSTRUCT ANY IMPROVEMENTS OR TO ISSUE ANY OBLIGATIONS OF THE CITY.

5. EITHER THE FINANCE DIRECTOR OR THE PUBLIC SERVICE DIRECTOR ARE AUTHORIZED TO REQUEST AN EXCEPTION FROM PRIOR APPROVAL TO ISSUE BONDS FROM THE MICHIGAN DEPARTMENT OF TREASURY AND TO PAY THE RELATED FEE, OR TO REQUEST THE MICHIGAN DEPARTMENT OF TREASURY TO ISSUE AND ORDER GRANTING PRIOR APPROVAL TO ISSUE BONDS, AND TO REQUEST ANY RELATED WAIVERS.

6. DYKEMA GOSSETT PLLC, OF LANSING, MICHIGAN, IS APPOINTED AS BOND COUNSEL WITH RESPECT TO THE BONDS DESCRIBED IN THIS RESOLUTION.

7. ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION ARE RESCINDED.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

#### **ORDINANCES FOR INTRODUCTION**

INTRODUCTION OF ORDINANCE  
REPEALING ORDINANCE #925  
STORMWATER ENTERPRISE FUND

BY COUNCILMEMBER JONES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY REPEALING ORDINANCE #925, ADOPTED ON OCTOBER 9, 1995, FOR THE PURPOSE OF REPEALING THE STORMWATER ENTERPRISE FUND ORDINANCE ENACTED BY THE CITY COUNCIL ON OCTOBER 9, 1995, WHICH CREATED A STORMWATER ENTERPRISE FUND IN THE CITY OF LANSING TO HELP DEFRAY THE COSTS OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SYSTEM, AND WHICH PROVIDED A METHOD FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT THE ENTERPRISE FUND; BUT PRESERVING ACCRUED RIGHTS AND LIABILITIES, WAS INTRODUCED BY COUNCILMEMBER JONES AND REFERRED TO THE COMMITTEE WAYS AND MEANS.

#### **RESOLUTION #023**

#### **RESOLUTION SETTING PUBLIC HEARING**

BY COUNCILMEMBER JONES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, FEBRUARY 10, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY REPEALING ORDINANCE #925, ADOPTED ON OCTOBER 9, 1995 FOR THE PURPOSE OF REPEALING THE STORMWATER ENTERPRISE FUND ORDINANCE ENACTED BY THE CITY COUNCIL ON OCTOBER 9, 1995, WHICH CREATED A STORMWATER ENTERPRISE FUND IN THE CITY OF LANSING TO HELP DEFRAY THE COSTS OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SYSTEM, AND WHICH PROVIDED A METHOD FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT THE ENTERPRISE FUND; BUT PRESERVING ACCRUED RIGHTS AND LIABILITIES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER JONES

TO AMEND THE RESOLUTION SETTING THE PUBLIC HEARING, BY CHANGING THE DATE OF THE PUBLIC HEARING TO FEBRUARY 10, 1997, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

#### **CONSIDERATION OF LATE ITEMS**

THERE WERE INSUFFICIENT VOTES TO SUSPEND THE RULES TO ACCEPT LATE ITEMS FOR CONSIDERATION

### PUBLIC COMMENTS

WILLIAM HUBBELL OF 3916 WEDGEWOOD THANKED COUNCIL PRESIDENT BEAL FOR MOVING THE MEETINGS ALONG SO QUICKLY. HE URGED THE COUNTY COMMISSIONERS TO MOVE EXPEDITIOUSLY TO RATIFY THEIR VERSION OF THE DISTRICT LIBRARY AGREEMENT RESOLUTION. HE THANKED ALL RESIDENTS WHO HAVE BEEN SHOVELING THEIR SIDEWALKS, BUT CRITICIZED THE AREA BUSINESSES WHO HAVE NOT DONE SO WELL.

LLOYD TEETS OF 116 E. ELM SPOKE REGARDING HIS EJECTION FROM LAST WEEK'S MEETING. HE SAID THAT HE STILL SUPPORTS PRESIDENT BEAL.

REVEREND ANDREW BRODY 1114 GLENN ST. SPOKE IN OPPOSITION TO THE STORMWATER ENTERPRISE FUND FEES.

LENORA JADUN OF 1474 CAMBRIDGE, DIRECTOR OF THE PUBLIC SERVICE DEPARTMENT, CORRECTED INACCURATE STATEMENTS REGARDING THE STORMWATER ENTERPRISE FUND ACCOUNTS AND THE CSO PROJECT.

ALEXANDER BOLT OF 1230 REO RD.. READ A PORTION OF THE OPINION IN HIS LAWSUIT AGAINST THE CITY AND THE STORMWATER ENTERPRISE FUND ORDINANCE.

KATHY LANGSCHWAGER OF 1328 PROSPECT THANKED COUNCILMEMBERS WHO VOTED IN FAVOR OF THE PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ORDINANCE.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO, PASTOR OF FRIENDSHIP BAPTIST CHURCH, URGED COUNCIL TO SUPPORT THE RECOMMENDATIONS OF THE MARCH FOR JUSTICE THAT WERE SUBMITTED AT LAST WEEK'S CITY COUNCIL MEETING. HE STATED THAT THE MARCH FOR JUSTICE WILL HOLD A COMMEMORATIVE SERVICE ON FEBRUARY 3, 1997 AT 12:00 P.M. HONORING IN REMEMBRANCE OF DEATH OF ALL PERSONS WHO HAVE DIED IN CONFLICTS WITH AREA POLICE.

DARNELL OLDHAM OF 3815 BERWICK DR. COMMENDED COUNCILMEMBER LILLY FOR HIS CHARACTERIZATION OF THE STORMWATER ENTERPRISE FUND PROGRAM. HE CRITICIZED THE BOARD OF POLICE COMMISSIONERS, SAYING THAT IT IS NOT A TRUE REVIEW BOARD, AND THAT IT HAS BEEN "HOG TIED AND STRANGLED" BY THE MAYOR.

CONNIE DELANEY OF 3721 AURELIUS RD... SPOKE IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

HELEN FISER OF 12100 S. CORK SPOKE REGARDING THE STORMWATER CREDITS THAT WERE APPROVED FOR RESIDENTS OF THE GOOD HOME SUBDIVISION.

TOM HEARNLEY OF 3425 PALMER ST. THANKED COUNCILMEMBERS LILLY, JONES, BEAL, ALLEN AND LEEMAN FOR THEIR VOTE ON THE RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE REPEAL OF THE STORMWATER ORDINANCE.

ALBERTA JORDAN, NO ADDRESS GIVEN, DEMANDED INFORMATION FROM MR. WIENER AS TO HOW TO PROCESS A COMPLAINT AGAINST THE MAYOR'S OFFICE.

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER LILLY CRITICIZED THE ADMINISTRATION FOR BEING INCONSISTENT IN REPORTING FIGURES INVOLVING THE STORMWATER ENTERPRISE FUND. HE STATED THAT THERE HAS BEEN NO AUTHORIZATION BY COUNCIL OF CREDITS TO BE ISSUED TO RESIDENTS WITH RETENTION BASINS.

COUNCILMEMBER JONES THANKED EUGENE PATTERSON WHO PLOWS THE ENTIRE 400 BLOCK OF BARNES AVE.

COUNCILMEMBER BAUER THANKED EVERYONE WHO ATTENDED THE MARTIN LUTHER KING, JR. BENEFIT YESTERDAY. SHE ANNOUNCED THAT ALL OF THE ICE RINKS ARE OPEN AND URGED PEOPLE TO VISIT THEM. IT IS HER OPINION THAT COUNCIL SHOULD GO ON A RETREAT TO CONSIDER ALTERNATIVES TO THE STORMWATER ENTERPRISE FUND.

COUNCILMEMBER BENAVIDES SAID THAT WHAT HE SAID WAS THAT HE WANTED TO WAIT UNTIL AFTER THEY RECEIVED THE CONSULTANTS REPORT BEFORE HOLDING A PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ORDINANCE.

COUNCILMEMBER LEEMAN ANNOUNCED THE CANCELLATION OF THE PUBLIC SERVICES COMMITTEE MEETING SCHEDULED FOR THIS WEEK. HE WELCOMED ELAINE BANNASCH TO THE MEETING.

COUNCILMEMBER NOVAK REMINDED ALL RESIDENTS WITH STORMWATER APPEALS TO MAKE SURE THEY HAVE THEM FILED BY JANUARY 31ST, PARTICULARLY IF YOU HAVE NO STORM SEWERS OR CURB & GUTTER IN YOUR NEIGHBORHOOD. ALSO, IF YOU ARE PAYING FOR A PREVIOUSLY INSTALLED SEWER SEPARATION. HE EXPLAINED HIS ATTEMPT TO SUBMIT A RESOLUTION AUTHORIZING A CHANGE IN LOCATION FOR NEXT

MONDAY'S STATE OF THE CITY ADDRESS BY MAYOR HOLLISTER. HE RAISED QUESTIONS ABOUT THE LEGALITY OF "POLLING" COUNCILMEMBERS OUTSIDE OF A PUBLIC MEETING FORUM. HE ASKED THE ADMINISTRATION TO ADDRESS THE REASON THAT THE ICE SKATING RINKS CANNOT SELL HOT CHOCOLATE TO THEIR CUSTOMERS.

CITY CLERK SLADE SENT CONDOLENCES TO THE FAMILY OF CANUTE FINDSEN. CANUTE HAS BEEN AN ELECTION WORKER FOR THE CITY CLERK'S OFFICE FOR EVERY ELECTION THAT HAS BEEN HELD IN THE LAST 20 YEARS. THEY ARE A WONDERFUL FAMILY, AND HER HEARTFELT SYMPATHIES GO OUT TO THEM.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER REPORTED THAT THE PUBLIC SERVICE DEPARTMENT HAS ISSUED 22 CITATIONS FOR SNOW AND ICE REMOVAL SINCE THE BEGINNING OF JANUARY. EIGHTEEN OF THOSE WERE ISSUED TO BUSINESSES. RESIDENTS GET TWO WARNINGS PRIOR TO THE ACTUAL ISSUANCE OF A CITATION. ANYONE UNABLE TO SHOVEL BECAUSE OF AGE, OR PHYSICAL DISABILITY IS EXEMPTED FROM THE REQUIREMENTS OF THIS ORDINANCE.

HE DENIED THE ALLEGATION THAT MAYOR HOLLISTER "HOG TIES AND STRANGLES" THE BOARD OF POLICE COMMISSIONERS. IN FACT, THE MAYOR SENT THEM A LETTER FOLLOWING THE DEATH OF EDWARD SWANS, TO ENSURE THAT THEY WOULD INVESTIGATE THE MATTER.

HE OBJECTED TO THE USE OF THE WORD "LIE" TONIGHT. THERE IS NO POSITIVE BENEFIT TO BE DERIVED FROM THE USE OF THIS TYPE OF LANGUAGE OR FROM NAME CALLING. HE DOES NOT ACCEPT THE ACCUSATION THAT THIS ENTIRE SYSTEM HAS BEEN BUILT ON A LIE. EVEN COUNCILMEMBER LILLY HAS ACKNOWLEDGED THAT THE CITY IS REQUIRED NOT TO DISPOSE OF ANY MORE UNTREATED SEWAGE INTO THE GRAND RIVER. THAT IS NOT A LIE. THE STORMWATER ENTERPRISE FUND IS MERELY AN ATTEMPT NOT TO DO THAT. IT IS NOT CORRECT, NOR ACCURATE TO CHARACTERIZE THIS AS A LIE. HE URGES EVERYONE TO STICK TO THE FACTS.

**ADJOURNED 10:50 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JANUARY 27, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT JONES

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION WAS OBSERVED AS A MOMENT OF SILENCE AND THE PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMEMBER BEAL

**CONSIDERATION OF LATE ITEMS**

THERE WERE NO LATE ITEMS

**PUBLIC COMMENT**

BETTY KOST OF 1425 MCINTYRE CRT. SPOKE REGARDING THE SALE OF PROPERTY AT 1300 TURNER ST.

WILLIAM HUBBELL OF 3916 WEDGEWOOD SPOKE IN SUPPORT OF A DISTRICT LIBRARY.

ANDREW BRODIE, NO ADDRESS GIVEN, INQUIRED AS TO WHETHER RESIDENTS ARE EXPECTED TO PAY THE STORMWATER ENTERPRISE FUND BILL THEY JUST RECEIVED. CITY ATTORNEY SMIERTKA RESPONDED IN THE AFFIRMATIVE. RESIDENTS ARE EXPECTED TO PAY THE STORMWATER BILLS THEY JUST RECEIVED.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE STATED THAT SHE IS HAVING PROBLEMS GETTING PUBLIC SERVICE DEPARTMENT NOTES FROM COMMITTEE MEETINGS.

ALEXANDER BOLT OF 1230 REO RD. REMINDED VIEWERS OF THE PUBLIC HEARING SCHEDULED FOR FEBRUARY 10, 1997 TO CONSIDER AN ORDINANCE REPEALING THE STORMWATER ENTERPRISE FUND ORDINANCE.

GARY ANDREWS OF 560 BROOKLYN BLVD. SAID HE HAS NEVER SEEN SUCH A LACK OF COOPERATION BETWEEN THE ADMINISTRATION AND CITY COUNCIL. HE EXPRESSED HIS FRUSTRATION OVER THE LENGTH OF TIME IT IS TAKING TO FILL POTHOLES AND PERFORM OTHER TYPES OF INFRASTRUCTURE REPAIR.

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT JONES

CARRIED UNANIMOUSLY

A. NOTICE FROM THE STATE OF MICHIGAN PUBLIC SERVICE COMMISSION OF A PUBLIC HEARING FOR THE CUSTOMERS OF CONSUMERS POWER CO. CASE #U-11225 TO BE HELD ON JANUARY 31, 1997 AT 9:00 A.M.

RECEIVED AND PLACED ON FILE

B. LETTERS FROM HELEN FISER OF 12100 S. CORK RD., MORRICE AND CONNIE DELANEY OF 3721 AURELIUS RD. RE:

1. REGARDING FREEDOM OF INFORMATION ACT REQUESTS THEY HAVE PREVIOUSLY FILED

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON PUBLIC SERVICES

2. SUBMITTING STORMWATER ENTERPRISE FUND FEE APPEALS FOR: 1836 E. CAVANAUGH RD., 1725 FIDELITY RD.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

C. LETTER FROM THE INGHAM COUNTY CONTROLLER SUBMITTING A RESOLUTION PROPOSED FOR ADOPTION BY THE INGHAM COUNTY BOARD OF COMMISSIONERS ON JANUARY 28, 1997

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

**MAYOR'S COMMENTS**

MR. WIENER HAD NO COMMENTS.

**CITY OFFICER AND BOARD REPORTS**

A. INFORMATION-ONLY ITEMS FROM THE CITY CLERK: LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

B. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF A CODE OF ORDINANCE REQUIREMENT FOR THE PASSAGE OF A RESOLUTION CONVENING THE ELECTED OFFICERS COMPENSATION COMMISSION'S FIRST MEETING OF 1997

REFERRED TO THE COMMITTEE OF THE WHOLE

C. LETTERS FROM THE MAYOR RE:

1/ 1997 STATE OF THE CITY ADDRESS

RECEIVED AND PLACED ON FILE

2/ ACT-01-97, ACQUISITION OF STATE OWNED PROPERTIES - FERRIS PARK, ET AL

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3/ Z-17-96, W. SIDE OF THE 1300 BLOCK OF TURNER ST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

4/ REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS FOR DRUG FREE USE CONFERENCE OF THE MICHIGAN COMMUNITIES IN ACTION FOR DRUG-FREE YOUTH HELD IN OCTOBER 1996

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ TRANSFER OF FUNDS: LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6/ INTERNAL REVENUE SERVICE REPORTING

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7/ GRANT ACCEPTANCE; AUTO THEFT PREVENTION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

### COMMITTEE REPORTS

#### RESOLUTION #024 REPORT OF COMMITTEE

THE COMMITTEE ON GENERAL SERVICES, TO WHOM WAS REFERRED THE STORMWATER ORDINANCE APPEAL PROCESS,

REPORTS AS FOLLOWS: THE COMMITTEE HAS STUDIED THE STORMWATER ORDINANCE AND RECOMMENDS AN IMMEDIATE AMENDMENT. THE COMMITTEE BELIEVES

THAT EVERY PARCEL OF PROPERTY NOT SERVED BY STORM SEWERS SHOULD BE EXEMPT FROM THE STORMWATER FEE. SUCH AMENDMENT SHOULD COME FROM THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS. THIS REPORT IS FOR INFORMATION ONLY, AND NO COUNCIL ACTION IS REQUIRED AT THIS TIME.

SIGNED: TONY BENAVIDES, CHAIR  
PAUL NOVAK, VICE CHAIR  
JOAN BAUER

BY COUNCILMEMBER BENAVIDES:

THAT THE REPORT OF THE COMMITTEE BE RECEIVED AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS.

CARRIED UNANIMOUSLY

### RESOLUTIONS

#### RESOLUTION #025

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, CAPITAL AREA COMMUNITY SERVICES, INC., HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE; AND

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES CAPITAL AREA COMMUNITY SERVICES, INC., AS A NONPROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #026

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, SITUATIONS ARISE WHERE IT IS LEGALLY REQUIRED AND/OR PREFERABLE TO OBTAIN OUTSIDE LEGAL COUNSEL DUE TO A CONFLICT OF INTEREST OR EXPERTISE IN A PARTICULAR AREA; AND

WHEREAS, PURSUANT TO THE CITY CHARTER, CITY COUNCIL APPROVAL IS REQUIRED BEFORE OUTSIDE LEGAL COUNSEL MAY BE UTILIZED BY THE CITY ATTORNEY OR THE BOARD OF WATER AND LIGHT'S LEGAL COUNSEL; AND

WHEREAS, THE BOARD OF WATER AND LIGHT'S LEGAL COUNSEL SOLICITED AND REVIEWED RESPONSES FROM A NUMBER OF QUALIFIED LEGAL FIRMS INTERESTED IN DOING BUSINESS FOR THE BOARD OF WATER AND LIGHT; AND

WHEREAS, BASED UPON THE WRITTEN INFORMATION SUBMITTED AND, IN SOME CASES, THE PRIOR PERFORMANCE OF THE LEGAL REPRESENTATION PROVIDED TO THE BOARD OF WATER AND LIGHT, THE CITY ATTORNEY AND THE BOARD OF WATER AND LIGHT LEGAL COUNSEL HAVE PREPARED A LIST OF LAW FIRMS THEY ARE RECOMMENDING TO THE MAYOR AND CITY COUNCIL FOR PRE-APPROVAL FOR OUTSIDE LEGAL WORK ON BEHALF OF THE CITY OF LANSING AND/OR THE BOARD OF WATER AND LIGHT; AND

WHEREAS, THE MAYOR HAS CONCURRED IN THE CITY ATTORNEY'S AND THE BOARD OF WATER AND LIGHT'S LEGAL COUNSEL'S RECOMMENDATIONS; AND

WHEREAS, THE COMMITTEE ON WAYS AND MEANS HAS REVIEWED AND CONCURS IN THE RECOMMENDATIONS BY THE CITY ATTORNEY AND THE BOARD OF WATER AND LIGHT'S LEGAL COUNSEL;

NOW, THEREFORE, BE IT RESOLVED, THAT THE FOLLOWING LAW FIRMS BE PRE-APPROVED FOR THE NEXT TWO (2) YEARS FOR OUTSIDE LEGAL WORK ON BEHALF OF THE CITY AND/OR THE BOARD OF WATER AND LIGHT:

1. BUTZEL LONG, P.C.
2. CANADY LAW OFFICES
3. DICKINSON, WRIGHT, MOON, VAN DUSEN AND FREEMAN, A PARTNERSHIP
4. FOSTER, SWIFT, COLLINS & SMITH, P.C.
5. MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.
6. WILLINGHAM & COTE

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #027

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED:

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$757	GEN FUND-FUND BALANCE 101-0-390001-0	POLICE DEPT.-CONTROL 101-343201-992200-0
\$757	POLICE DEPT.-CONTROL 101-343201-992200-0	
\$482		DONATIONS-DARE 101-343201-741879-0
\$275		DONATIONS-DARE 101- 343201-741880-0

(DONATIONS RECEIVED PRIOR TO JUNE 30, 1996 BUT NOT APPROPRIATED. DONATIONS FROM CRAWFORD RAYNOR DOOR COMPANY, GRANGER CONTAINER, HAGER FOX, AND MOORES NEIGHBORHOOD ASSOC. FOR MOORES PARK NEIGHBORHOOD POLICING ACTIVITIES.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$100	ESTIMATED REVENUE-G.F. 101-0-170001-0	POLICE DEPT.-CONTROL 101-343201-992200-0
\$100	POLICE DEPT.-CONTROL 101-343201-992200-0	DONATIONS-COMM. POLICING 101-343201- 741888-0

(DONATION FROM AT & T FOR COMMUNITY POLICING. REVENUE DETAIL ACCOUNT 101-0-675000).

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$11,941	ESTIMATED REVENUE-GF 101-0-170001-0	PARKS & REC-CONTROL 101-783860-992200-0
\$11,941	PARKS & REC-CONTROL 101-783860-992200-0	
\$7,194		WAGES TEA HOURLY 101- 783838-707000-0
\$175		MISC. & OPER. EXPENSE 101-783838-741000-0
\$4,572		CONTRACT SERVICES 101-783838-743000-0

(ESTIMATED EXPENSES TO ADMINISTER SCHOOL BASED RECREATION PROGRAMS FOR SPRING 1997 ONLY. CONTINUATION OF COMMUNITY EDUCATION PROGRAM PART OF FY 98 NEW PROGRAMS SUBMISSION. REVENUE DETAIL ACCOUNTS 101-0-648800 SCHOOL ENRICHMENT PROGRAMS \$6,560, 101-0-648890 SCHOOL AQUATICS PROGRAM (\$4,700). REVENUES ESTIMATED TO EXCEED EXPENSES BY \$4,700 FOR THIS PERIOD.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$23,630	FUND BALANCE-GENERAL FUND 101-0-390001-0	CITY COUNCIL CONTROL 101-112101-992200-0
\$23,630	CITY COUNCIL CONTROL 101-112101-992200-0	
\$15,000		CITY COUNCIL OPERATING SUPPLIES 101-112101- 742000-0
\$8,630		CITY COUNCIL-REPAIR & MAINT. 101-112101- 746000-0

(ADDITIONAL CITY COUNCIL MISCELLANEOUS EXPENSES. RENOVATION OF 10TH FLOOR CONFERENCE ROOM.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #028**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL HAS, SINCE MAY 17, 1993, ADOPTED POLICY CREATING THE INTENT AND RESERVING FUNDS TO BUILD A COMMUNITY CENTER IN S. LANSING; AND

WHEREAS, A CITIZENS COMMITTEE SPENT COUNTLESS HOURS IDENTIFYING AND INVESTIGATING POTENTIAL SITES AND BUILDING CONFIGURATIONS FOR RECOMMENDATION TO THE CITY COUNCIL; AND

WHEREAS, THE CITY COUNCIL HAS REVIEWED AND DELIBERATED THE RECOMMENDATIONS OF THE CITIZENS COMMITTEE.

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY SELECTS "CONCEPT II" AT THE SOUTH END OF WASHINGTON PARK AS THE DESIRED LOCATION FOR THIS FACILITY; AND

BE IT FURTHER RESOLVED THAT DESIGN PLANS AND RELATED COST ESTIMATES SHALL BE SUBMITTED TO THE CITY COUNCIL AT THEIR REGULAR MEETING SCHEDULED FOR FEBRUARY 22, 1997; AND

BE IT FINALLY RESOLVED THAT THE DIRECTOR OF PARKS AND RECREATION IS REQUESTED TO PROVIDE A REPORT ADDRESSING THE AVAILABILITY AND ESTIMATED COST OF ANY AVAILABLE ADJACENT LAND CURRENTLY OWNED BY FEDERAL FORGE, AND ON THE AVAILABILITY, ESTIMATED COST, AND TIMING OF ACQUISITION OF RESIDENTIAL PROPERTIES LOCATED BETWEEN THE PARK DRIVES, BY FEBRUARY 22, 1997.

BY COUNCILMEMBER ALLEN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, NOVAK

**ORDINANCES FOR INTRODUCTION**

**INTRODUCTION OF ORDINANCES**

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE

FOR PROPERTY LOCATED AT:

Z-16-96, VACANT LAND, 1200 W. JOLLY RD., SOUTH SIDE, "A" RESIDENTIAL DISTRICT TO "F" COMMERCIAL DISTRICT

**RESOLUTION #029**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, FEBRUARY 17, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-16-96, VACANT LAND, 1200 W. JOLLY RD., SOUTH SIDE, "A" RESIDENTIAL DISTRICT TO "F" COMMERCIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 1460  
ABANDONED MOTOR VEHICLES  
BY COUNCILMEMBER ALLEN**

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTION 1460.04(23), 1460.21, 1460.22 AND 1460.30, FOR THE PURPOSE OF : CHANGING THE TERM MOTOR VEHICLES CONTAINED IN THE DEFINITION OF PUBLIC NUISANCE TO ABANDONED/DISABLED MOTOR VEHICLES AS DEFINED IN SECTION 1460.30; INCLUDING ABANDONED/DISABLED MOTOR VEHICLES AS A CONDITION RENDERING PREMISES SUBSTANDARD AND TO PROVIDE FOR NUISANCE ABATEMENT OF ABANDONED/DISABLED MOTOR VEHICLES; PROVIDING FOR NOTICE OF VIOLATION FOR ABANDONED/DISABLED MOTOR VEHICLES; CHANGING THE TERM DISABLED MOTOR VEHICLES TO ABANDONED/DISABLED MOTOR VEHICLES, AND TO DEFINE THE TERM ABANDONED/DISABLED MOTOR VEHICLE, AND SETTING A PUBLIC HEARING FOR FEBRUARY 17, 1997, WAS INTRODUCED BY COUNCILMEMBER ALLEN AND REFERRED TO THE COMMITTEE PUBLIC SAFETY.

**RESOLUTION #030**

RESOLUTION SETTING PUBLIC HEARING  
BY COUNCILMEMBER ALLEN

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, FEBRUARY 17, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W.



MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTION 1460.04(23), 1460.21, 1460.22 AND 1460.30 FOR THE PURPOSE OF : CHANGING THE TERM MOTOR VEHICLES CONTAINED IN THE DEFINITION OF PUBLIC NUISANCE TO ABANDONED/DISABLED MOTOR VEHICLES AS DEFINED IN SECTION 1460.30; INCLUDING ABANDONED/DISABLED MOTOR VEHICLES AS A CONDITION RENDERING PREMISES SUBSTANDARD AND TO PROVIDE FOR NUISANCE ABATEMENT OF ABANDONED/DISABLED MOTOR VEHICLES; PROVIDING FOR NOTICE OF VIOLATION FOR ABANDONED/DISABLED MOTOR VEHICLES; CHANGING THE TERM DISABLED MOTOR VEHICLES TO ABANDONED/DISABLED MOTOR VEHICLES, AND TO DEFINE THE TERM ABANDONED/DISABLED MOTOR VEHICLE; AND SETTING A PUBLIC HEARING FOR FEBRUARY 17, 1997

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

### PUBLIC COMMENTS

BETTY KOST OF 1425 MCINTYRE CRT. STATED A COMPLAINT ABOUT THE USE OF THE PROCEEDS FROM THE SALE OF THE CIVIC CENTER. NOT ONE DOLLAR OF THIS MONEY WAS SPENT ON VETERANS.

ALBERTA JORDAN, NO ADDRESS GIVEN, URGED EVERYONE WHO FEELS THAT THEY HAVE BEEN TREATED UNFAIRLY BY THE LANSING POLICE DEPARTMENT TO BRING THEIR INFORMATION TO HER AND SHE WILL TAKE IT TO WASHINGTON, D.C.

RICHARD M. FISER OF 12100 S. CORK RD. IN MORRICE, MI ASKED WHO THE CITY ATTORNEY WORKS FOR. CITY COUNCIL, HE SAID, SHOULD HAVE THEIR OWN ATTORNEY.

LLOYD TEETS OF 116 E. ELM ST. CRITICIZED THE MEDIA FOR THEIR ASSESSMENT OF THE DISAGREEMENT BETWEEN THE ADMINISTRATION AND THE MAYOR OVER THE LOCATION OF THE STATE OF THE CITY ADDRESS.

THOMAS HEARNLEY OF 3525 PALMER ST. OBJECTED TO THE COMMITTEE REPORT BY THE COMMITTEE ON GENERAL SERVICES REGARDING THE STORMWATER ENTERPRISE FUND FEES.

WILLIAM HUBBELL OF 3916 WEDGEWOOD URGED RESIDENTS TO KEEP THEIR SIDEWALKS CLEAR.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SPOKE REGARDING MAYOR HOLLISTER'S INTENT TO DO THINGS HIS OWN WAY. HE URGED ATTENDANCE AT THE

FEBRUARY 3, 1997 RALLY AT CITY HALL FOR FAMILIES OF PEOPLE KILLED BY THE LANSING POLICE DEPARTMENT.

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER LILLY ASKED ABOUT THE DEADLINE FOR FILING OF FINANCIAL DISCLOSURE FORMS BY CITY OFFICERS.

COUNCILMEMBER BENAVIDES SAID THAT COUNCILMEMBER ALLEN NEEDS TO QUIT QUESTIONING THE INTENT OF HER FELLOW COUNCILMEMBERS WITH REGARD TO THE SOUTHSIDE COMMUNITY CENTER.

COUNCILMEMBER ALLEN DEFENDED HER ACTIONS WITH REGARD TO THE FINANCING OF THE SOUTHSIDE COMMUNITY CENTER. IT IS NOT FAIR FOR THE SPECTER OF A LACK OF FINANCING TO KEEP BEING RAISED. SHE REPORTED THAT THE PUBLIC SAFETY COMMITTEE WILL MEET WITH THE MARCH FOR JUSTICE EVERY SATURDAY IN FEBRUARY.

COUNCILMEMBER LEEMAN STATED HIS SUPPORT FOR THE CONSTRUCTION OF THE SOUTHSIDE COMMUNITY CENTER.

COUNCILMEMBER JONES STATED THAT THERE IS ALREADY A COMMITTEE IN EXISTENCE TO HELP DEAL WITH THE LANSING SCHOOL DISTRICT. THEY HAVE BEEN WORKING WITH THE SCHOOL DISTRICT ON DIFFERENT ISSUES FOR SOME TIME. THEY WILL HOLD PUBLIC MEETINGS ON FEBRUARY 4TH AND 5TH.

COUNCILMEMBER BAUER SAID THAT TOMORROW NIGHT THE INGHAM COUNTY BOARD OF COMMISSIONERS WILL CONSIDER A RESOLUTION REGARDING THE FUNDING OF A DISTRICT LIBRARY. SHE SUPPORTS THE PASSAGE OF THIS RESOLUTION. SHE THANKED THE VOLUNTEERS AT MICHIGAN CAPITOL MEDICAL CENTER FOR THEIR EFFORTS AND COMMENDED THEM ON THE AWARD RECEIVED BY McREE GUEST HOUSE PROJECT.

COUNCILMEMBER BEAL SAID THAT COUNCIL VOTED NOT TO MOVE TONIGHT'S MEETING OUT OF CONSIDERATION OF THEIR STAFF. THEY HAVE BEEN SHORT STAFFED FOR A NUMBER OF MONTHS AND IT WOULD HAVE BEEN DIFFICULT TO MOVE THE MEETING IN SUCH A SHORT TIME FRAME. THIS DOES NOT MEAN THAT THERE IS A POWER STRUGGLE.

COUNCIL PRESIDENT BEAL RECESSED THIS MEETING OF THE LANSING CITY COUNCIL AT 8:05 P.M.

COUNCIL VICE-PRESIDENT LEEMAN RE-CONVENED THE JANUARY 27, 1997 MEETING OF THE LANSING CITY COUNCIL AT 8:35 P.M.

### MAYOR'S COMMENTS

VICE-PRESIDENT LEEMAN TURNED THE FLOOR OVER TO MAYOR HOLLISTER FOR PRESENTATION OF THE 1997 STATE OF THE CITY ADDRESS.

MAYOR DAVID C. HOLLISTER  
STATE OF THE CITY ADDRESS  
JANUARY 27, 1997

FELLOW CITIZENS, IT IS MY HONOR AND PLEASURE TO PRESENT TO YOU MY FOURTH STATE OF THE CITY ADDRESS.

THE STATE OF THE CITY IS STRONG, BUT WE CAN AND WILL DO EVEN BETTER AND THAT'S WHAT I WILL TALK TO YOU ABOUT TONIGHT. 1997 IS GOING TO BE AN EXCITING YEAR. WE WILL CELEBRATE THE 150TH ANNIVERSARY OF LANSING BEING THE STATE CAPITOL. AND WE WILL BE THE CENTER OF NATIONAL ATTENTION AS OLDSMOBILE HOSTS ITS 100TH BIRTHDAY EXTRAVAGANZA IN AUGUST. THIS WILL BE A YEAR OF CELEBRATION WANT TO ACKNOWLEDGE AND SALUTE THE MANY YOUNG PEOPLE WHO ARE WITH US TONIGHT. IT IS APPROPRIATE THAT WE ARE AT DWIGHT RICH MIDDLE SCHOOL BECAUSE THIS YEAR WE WILL INITIATE A NEW PARTNERSHIP WITH OUR SCHOOLS AND ESTABLISH EDUCATION AS THE #1 PRIORITY FOR OUR CITY.

WITH US TONIGHT IS PAUL FRY'S THIRD AND FOURTH GRADE CLASS FROM GIER ELEMENTARY SCHOOL. TWO YEARS AGO THEY WON THE NATIONAL "BUILD A SPACE SUIT" CONTEST. THIS YEAR THEY HAVE ENTERED THE "ULTIMATE INVENTION" CONTEST. GOOD LUCK, KIDS! PLEASE STAND UP AND BE RECOGNIZED. ALSO JOINING ME ON STAGE ARE STUDENTS FROM DWIGHT RICH MULTI-CULTURAL CLASSES, IN WHICH THE STUDENTS STUDY DIVERSITY AND BUILD CULTURAL UNDERSTANDING. I WANT TO THANK THE HEARING IMPAIRED STUDENTS WHO LED US IN THE PLEDGE AND THE JAZZ QUARTET THAT ENTERTAINED US EARLIER. AND A BIG THANK YOU TO PRINCIPAL DIANE ROTH FOR BEING SUCH A WONDERFUL HOST. LET'S GIVE THEM ALL A BIG HAND!

1997 WILL ALSO BE SIGNIFICANT BECAUSE THE GOOD MANAGEMENT DECISIONS WE HAVE MADE OVER THE LAST THREE YEARS WILL ALLOW ME TO PROPOSE A MODEST, PRUDENT PROPERTY TAX CUT. THIS WILL BE THE FIRST CITY OF LANSING TAX CUT IN 16 YEARS.

LET ME TAKE A MOMENT TO SAY HOW HONORED I AM TO BE YOUR MAYOR AND THANK YOU ALL FOR GIVING ME THIS OPPORTUNITY. I TRULY BELIEVE I HAVE THE BEST JOB IN THIS COMMUNITY AND I LOVE SERVING AS YOUR MAYOR. MY JOB IS MADE EASIER BECAUSE WE HAVE THE RESOURCES AND THE BRAIN POWER TO TACKLE THE CHALLENGES WE FACE AND PEOPLE WHO ARE WILLING TO WORK TOGETHER TO GET THINGS DONE.

I VIEW MY JOB AS WORKING WITH CITIZENS TO CREATE AN AMBITIOUS, BUT ACHIEVABLE VISION FOR OUR CITY, AND THEN WORKING WITH ALL ELEMENTS OF THE

COMMUNITY TO MAKE IT HAPPEN. I AM VERY PROUD OF BOTH MY ADMINISTRATION AND THE COMMUNITY. WE HAVE COLLECTIVELY CREATED THE VISION OF A WORLD CLASS CITY AROUND WHICH TO BUILD OUR FUTURE, AND TOGETHER WE HAVE TAKEN MAJOR STEPS TO MAKE THAT VISION BECOME A REALITY. I WANT TO PERSONALLY THANK THE COUNTLESS CITIZENS AND CITY EMPLOYEES WHO HAVE CONTRIBUTED IN SO MANY WAYS TO OUR CITY'S RECENT REVITALIZATION.

THE KEY TO OUR MANY SUCCESSES HAS BEEN OUR PARTNERSHIPS—WITH STATE GOVERNMENT, WITH OUR EDUCATIONAL INSTITUTIONS, WITH NEIGHBORING COMMUNITIES, WITH BUSINESS AND LABOR, WITH OUR CITIZENS. THESE PARTNERSHIPS ARE THE ENERGY BEHIND THE COMEBACK SPIRIT IN OUR COMMUNITY. "WE'RE MAKING IT HAPPEN" IS NOT JUST A CLEVER SLOGAN, BUT AN ACKNOWLEDGMENT OF THE REMARKABLE ACHIEVEMENTS THAT ARE POSSIBLE WHEN WE ALL WORK TOGETHER.

TREES IN A FOREST MAY STAND ALONE, BUT UNDERNEATH THEY ARE INTERTWINED BY THEIR ROOTS. THE SAME IS TRUE FOR THE ISSUES THAT FACE OUR CITY. ECONOMIC DEVELOPMENT IS INTERTWINED WITH GOOD SCHOOLS. GOOD SCHOOLS NEED STRONG NEIGHBORHOODS. STRONG NEIGHBORHOODS REQUIRE STRONG FAMILIES. FAMILIES ARE STRENGTHENED BY GOOD JOBS AND QUALITY EDUCATION. THESE ISSUES ARE INTERDEPENDENT, AND TO GROW AND PROSPER, WE MUST WORK ON ALL OF THEM TOGETHER.

#### EDUCATION

THE FATE OF THIS CITY IS TIED TO THE FATE OF ITS SCHOOLS. THIS IS TRUE NOT JUST FOR LANSING, BUT FOR CITIES THROUGHOUT THE COUNTRY. THE NATIONAL CONFERENCE OF MAYORS HAS MADE EDUCATION ITS NUMBER ONE PRIORITY AND ESTABLISHED A NATIONAL COMMITTEE ON URBAN EDUCATION. I HAVE BEEN APPOINTED TO SERVE ON THAT COMMITTEE AND WILL BRING THE BEST IDEAS FROM THAT GROUP BACK TO THE CITY.

I BELIEVE WE HAVE SOME OF THE FINEST AND MOST INNOVATIVE SCHOOL PROGRAMS IN THE MID-MICHIGAN AREA. THE LANSING PUBLIC SCHOOLS HAVE GREAT TEACHERS. WE COMPARE FAVORABLY WITH SUBURBAN SCHOOLS IN THE NUMBER OF MERIT SCHOLARSHIPS OUR STUDENTS WIN, AND OUR HIGH SCHOOL GRADUATES RECEIVE SCHOLARSHIPS TO THE FINEST SCHOOLS IN THE COUNTRY.

OVER THE LAST THREE YEARS THE CITY GOVERNMENT HAS BECOME MORE AND MORE INVOLVED WITH OUR PUBLIC SCHOOLS. WE HAVE:

1. FUNDED AN EXPANSION OF MIDDLE SCHOOL SPORTS PROGRAMS.
2. WE PROVIDED A SUBSIDY TO THE MAIN STREET

CHILD CARE PROGRAM.

3. WE FUNDED AFTER-SCHOOL PROGRAMS.
4. WE ESTABLISHED THE YOUTH IN GOVERNMENT PROGRAM.
5. WE PARTNERED WITH THE SCHOOL DISTRICT AND SPARROW HOSPITAL IN DEVELOPING A HEALTH CAREER CURRICULUM.
6. WE COSPONSORED AN ANNUAL DIVERSITY AND BILINGUAL EDUCATION SYMPOSIUM.
7. WE FUNDED PEER MEDIATION PROGRAMS IN THE MIDDLE SCHOOLS.
8. AND WE PARTICIPATE IN THE HOST PROGRAM, THROUGH WHICH 30 CITY EMPLOYEES VOLUNTEER EACH WEEK TO MENTOR IN OUR SCHOOLS.

BECAUSE OF SCHOOL DISTRICT BUDGET CUTS, WE WILL SOON BE OPERATING THE RECREATIONAL PROGRAMS FORMERLY MANAGED BY THE SCHOOL DISTRICT. AND THE SCHOOLS HAVE ASKED US TO FIND A FUNDING SOURCE FOR THE PUBLIC LIBRARY SYSTEM.

THE SCHOOL DISTRICT HAS ESTABLISHED AN AD HOC COMMITTEE ON STUDENT ACHIEVEMENT TO EXAMINE HOW TO IMPROVE LANSING STUDENT TEST SCORES AND OVERALL SCHOOL PERFORMANCE. COUNCIL PRESIDENT BEAL, COUNCILMEMBER JONES AND I HAVE PLAYED AN ACTIVE ROLE ON THAT COMMITTEE. BUT ALL OF US—GOVERNMENT, BUSINESS, LABOR, SERVICE ORGANIZATIONS, NEIGHBORHOODS AND RELIGIOUS ORGANIZATIONS—NEED TO BE MORE INVOLVED IN OUR SCHOOLS AND WITH OUR CHILDREN.

I COMMEND SCHOOL BOARD MEMBER NANCY ERIKSON AND HOWARD JONES FOR THEIR LEADERSHIP OF THIS HARD-WORKING CITIZENS GROUP AND URGE THE COMMUNITY TO BECOME AWARE AND SUPPORTIVE OF THEIR RECOMMENDATIONS. WE MUST MOBILIZE NOW TO PROTECT OUR FUTURE. THE PUBLIC CONFIDENCE IN OUR SCHOOLS CONTINUES TO BE UNDERMINED BY LOW TEST SCORES AND THE IMAGE OF OUR MIDDLE AND HIGH SCHOOLS.

THIS INTERRELATEDNESS OF THE SCHOOLS' PERFORMANCE AND THE CITY'S FUTURE BECAME A COMPELLING ISSUE TO ME AS I SAT WITH GENERAL MOTORS OFFICIALS TO DISCUSS THEIR DECISION TO INVEST MORE THAN \$600 MILLION IN RENOVATING OUR AGING AUTO PLANTS. I ASKED WHY THEY HAD SELECTED LANSING FOR THEIR INVESTMENT WHEN THEY COULD HAVE GONE TO ANY CITY IN THE WORLD.

THE GENERAL MOTORS OFFICIALS WERE VERY CLEAR: WHILE OUR FACILITIES ARE AMONG THE OLDEST AND MOST OUTDATED, WE HAVE A COMPETITIVE ADVANTAGE BECAUSE OF OUR SKILLED WORK FORCE.

WHILE THE \$600 MILLION INVESTMENT ASSURES US THAT THE SMALL CAR OPERATIONS WILL STAY IN LANSING THROUGH THE END OF THE CENTURY, GENERAL MOTORS WILL BE MAKING A DECISION ON WHERE TO BUILD THE NEXT GENERATION OF CARS SEVEN YEARS FROM NOW. MAINTAINING OUR SKILLED WORK FORCE WILL BE CRITICAL TO THEIR DECISION. YET, HALF OF THE SKILLED WORKERS AT G.M. WILL BE RETIRING IN THE NEXT TEN YEARS! THAT MEANS SEVERAL THOUSAND JOB OPENINGS FOR THE YOUNG PEOPLE ON THIS STAGE. GOOD JOBS WITH GOOD BENEFITS.

IF THIS REGION CANNOT PRODUCE THE SKILLED REPLACEMENT WORKERS REQUIRED, WE STAND TO LOSE THE ENTIRE GENERAL MOTORS PRODUCTION OPERATION! WE CANNOT LET THIS HAPPEN. ONCE I LEARNED OF THIS LONG TERM CHALLENGE TO FIND QUALIFIED G.M. WORKERS, I WROTE TO THE TOP 30 EMPLOYERS IN THE REGION AND AN ADDITIONAL 74 DIFFERENT BUSINESSES INVOLVED IN MANUFACTURING TO SEE WHAT TYPES OF JOBS WERE AVAILABLE AND WHAT TYPES OF EMPLOYMENT SKILLS THEY LOOK FOR.

WITHOUT EXCEPTION, ALL OF THE EMPLOYERS WHO RESPONDED SAID THEY LOOK FOR WORKERS WHO ARE DEPENDABLE, TRUSTWORTHY, CARING, RESPECTFUL AND FAIR. THEY ALSO SAID WORKERS SHOULD HAVE MATH SKILLS, BE COMFORTABLE WITH TECHNOLOGY, WORK COOPERATIVELY AND HAVE PROBLEM-SOLVING SKILLS.

TWENTY-FOUR OF THESE COMPANIES WILL HAVE 211 NEW JOB OPPORTUNITIES IN THE NEXT 90-120 DAYS, BUT ALL ARE HAVING DIFFICULTY FINDING QUALIFIED, ABLE AND WILLING WORKERS.

THESE YOUNG PEOPLE NEED TO KNOW BOTH ABOUT THESE AND OTHER JOB OPPORTUNITIES, AND WE NEED TO MAKE SURE THEY ARE PREPARED FOR THEM.

HOW CAN WE DO THIS? FIRST, WE HAVE TO SHOW STUDENTS THAT THEY HAVE A CLEAR STAKE IN COMPLETING HIGH SCHOOL. DROPPING OUT IS A DEAD-END. KIDS, YOU CAN'T GET A GOOD JOB IF YOU DON'T FINISH SCHOOL.

SECOND, WE MUST MAINTAIN AND ENHANCE THE RANGE AND QUALITY OF PROGRAMS TO ASSURE THAT ALL KIDS GET THE KIND OF EDUCATION THEY NEED TO REALIZE THEIR POTENTIAL AND FILL THESE JOBS.

KIDS, I WANT YOU TO ANSWER ME, WILL YOU BE COMMITTED TO WORK HARD AND STAY IN SCHOOL? (KIDS RESPONSE YES!). WILL YOU SAY NO TO DRUGS? (KIDS RESPONSE YES!). IF WE PROVIDE A COMPUTER, WILL YOU WORK HARD AND LEARN THE HIGH TECH SKILLS NEEDED SO YOU CAN GET A GOOD JOB WHEN YOU GRADUATE? (KIDS RESPONSE YES!). THERE YOU HAVE IT. THE KIDS ARE READY. NOW WE HAVE TO DO OUR PART.

I KNOW HOW DIFFICULT THIS TASK IS AND THAT, AS CITY OFFICIALS, WE HAVE NO DIRECT OR STATUTORY AUTHORITY TO INTERVENE IN THE OPERATION OF OUR SCHOOLS, BUT WE MUST BECOME MORE ACTIVE PARTNERS.

I WILL SOON BE CONVENING A BLUE RIBBON PANEL TO ADVISE ME ON WAYS THE LANSING COMMUNITY CAN ASSIST THE SCHOOLS. I AM PLEASED TO ANNOUNCE THAT MICHIGAN STATE UNIVERSITY PRESIDENT PETER MCPHERSON HAS AGREED TO CHAIR THE PANEL AND WILL COMMIT THE BRAINPOWER OF THE UNIVERSITY TO ASSIST US.

I WANT THIS PANEL TO HELP DEVELOP A PLAN THAT WILL RALLY THE ENTIRE COMMUNITY. WE NEED TO SET BOLD COMMUNITY GOALS. FOR EXAMPLE, I BELIEVE WE CAN ACHIEVE A ZERO DROPOUT RATE BY THE YEAR 2002! I BELIEVE THAT EVERY STUDENT, INDEED EVERY CITIZEN OF LANSING, CAN BE COMPUTER LITERATE BY THE YEAR 2002, AND HAVE ACCESS TO THE INTERNET. WE WILL BRING BUSINESS AND LABOR TOGETHER TO MAKE LANSING A MODEL COMMUNITY FOR "SCHOOL TO WORK" AND APPRENTICESHIP PROGRAMS. I WANT TO SET A GOAL THAT ALL EMPLOYERS WHO HAVE A JOB TO FILL CAN BE ASSURED THAT THEY CAN HIRE A WELL-EDUCATED PERSON WHO IS DRUG FREE AND HAS A GOOD WORK ETHIC.

IT WILL BE OUR TASK TO MOBILIZE THE RESOURCES OF THE COMMUNITY TO PITCH IN AND HELP OUR SCHOOL OFFICIALS.

TO THE LANSING SCHOOL BOARD AND ADMINISTRATION, I WANT TO EXTEND A HELPING HAND. BUT, WE DO NOT ENJOY THE LUXURY OF TIME—WE NEED TO MOVE FORWARD, AGGRESSIVELY, AS PARTNERS. MY ROLE IS TO HELP MOBILIZE THE COMMUNITY TO ASSIST YOU, THE EXPERTS, IN CARRYING OUT YOUR CONSTITUTIONAL AND STATUTORY TASK.

TODAY, WE ARE USHERING IN A NEW ERA—CREATING A NEW PARTNERSHIP—THAT CAN ENSURE THE STABILITY AND GROWTH OF OUR REGION WELL INTO THE NEXT CENTURY.

#### ECONOMIC DEVELOPMENT

MAKING QUALITY EDUCATION OUR NUMBER 1 PRIORITY IS THE BEST LONG-TERM INVESTMENT FOR ASSURING CONTINUED ECONOMIC DEVELOPMENT. BUT WE ALSO MUST ACTIVELY SEEK ALLIANCES WITH BUSINESSES AND INVESTORS WHO HELP CREATE JOBS.

THE WORLD HAS ENTERED A PERIOD OF UNPARALLELED AND RAPID ECONOMIC CHANGE. THIS CHANGE BRINGS BOTH RISKS AND OPPORTUNITIES. OUR CITY CAN NO LONGER AFFORD TO STAND STILL OR ONLY TINKER AT THE MARGINS WHEN CONSIDERING OUR ECONOMIC FUTURE. INSTEAD, WE MUST CREATIVELY PURSUE ECONOMIC DEVELOPMENT INITIATIVES AIMED AT MAKING

OUR CITY AS ATTRACTIVE AS POSSIBLE FROM BOTH AN ECONOMIC AND QUALITY OF LIFE PERSPECTIVE. CONSEQUENTLY, WE HAVE DEVISED AN AGGRESSIVE ECONOMIC DEVELOPMENT PLAN BASED ON THREE INTERRELATED STRATEGIES.

FIRST, WE HAVE WORKED CLOSELY WITH OUR MAJOR EMPLOYERS AND KEY PARTNERS THAT HAVE PLAYED SUCH AN IMPORTANT ROLE IN OUR COMMUNITY. THESE EFFORTS ARE REFLECTED NOT ONLY BY THE GENERAL MOTORS' REINVESTMENT IN ITS LANSING FACILITIES, BUT ALSO BY THE MULTIMILLION DOLLAR CONSTRUCTION PROJECTS UNDERTAKEN BY SPARROW HOSPITAL, COOLEY LAW SCHOOL AND LANSING COMMUNITY COLLEGE.

OUR SECOND ECONOMIC DEVELOPMENT STRATEGY INVOLVES PROVIDING THE ECONOMIC INCENTIVES AND ASSISTANCE NECESSARY TO ATTRACT NEW BUSINESS - BOTH LARGE AND SMALL. TOWARD THIS END, OUR ECONOMIC DEVELOPMENT CORPORATION HAS STIMULATED BUSINESS DEVELOPMENT IN OLDTOWN AND ON MICHIGAN AND WASHINGTON AVENUES, AND OUR PLANNING DEPARTMENT IS WORKING WITH MERCHANTS TO STRENGTHEN COMMERCE ON THE SOUTH CEDAR STREET AND MARTIN LUTHER KING, JR. BOULEVARD CORRIDORS. WE ALSO HAVE RECEIVED ONE OF SIX NATIONAL MAIN STREET GRANTS TO PRESERVE AND REVITALIZE HISTORIC OLD TOWN. IN ADDITION, THROUGH A UNIQUE PARTNERSHIP WITH THE LANSING REGIONAL CHAMBER OF COMMERCE AND MICHIGAN STATE UNIVERSITY, WE HAVE CREATED THE VENTURE CENTER AS A BUSINESS INCUBATOR TO PROVIDE OFFICE SPACE, SUPPORT STAFF, AND TECHNICAL ASSISTANCE TO NEW BUSINESSES.

IN MAKING INVESTMENT DECISIONS, BUSINESSES TYPICALLY SEEK A LOCATION WITH A HIGH QUALITY OF LIFE. AS A RESULT, OUR THIRD ECONOMIC DEVELOPMENT STRATEGY IS TO ENHANCE BOTH CITY INFRASTRUCTURE AND SOCIAL AMENITIES TO MAKE OUR CITY AS ATTRACTIVE TO INVESTORS AS POSSIBLE. THE CONSTRUCTION OF THE NEW CATA TRANSPORTATION CENTER, OUR SEVEN-YEAR /SEVEN MILLION DOLLAR A YEAR ROAD IMPROVEMENT PLAN, AND THE RECENT ANNOUNCEMENTS OF NEW CITY HOUSING DEVELOPMENTS ARE JUST A FEW EXAMPLES OF PROMINENT INFRASTRUCTURE IMPROVEMENTS.

FURTHERMORE, CITY GOVERNMENT HAS ESTABLISHED AN INFRASTRUCTURE FUND AND SET ASIDE AT LEAST 4% OF OUR GENERAL FUND BUDGET FOR CAPITAL PROJECTS. THIS MONEY IS BEING USED TO UPGRADE OUR AGING FIRE STATIONS, IMPROVE OUR WASTEWATER TREATMENT SYSTEM, MODERNIZE OUR COMMUNITY CENTERS, IMPROVE OUR PARKS, AND REPAIR AND MAKE OUR CITY BUILDINGS MORE USER FRIENDLY.

THE QUALITY OF LIFE ENHANCEMENTS ARE HIGHLIGHTED BY THE OVERWHELMING SUCCESS OF OLDSMOBILE PARK AND THE LANSING LUGNUTS. NOT ONLY HAS

OLDS PARK BECAME THE REGION'S MOST POPULAR ENTERTAINMENT SPOT FOR FAMILIES, BUT IT HAS SPAWNED SIGNIFICANT BUSINESS REVITALIZATION AROUND THE STADIUM. THE NEW OLDS PARK "FIELD OF ICE"—THE NATION'S LARGEST NATURAL ICE RINK—WILL FURTHER THE DEVELOPMENT OF THIS AREA AS AN IMPORTANT ENTERTAINMENT DISTRICT. THESE AND OTHER DOWNTOWN QUALITY OF LIFE ENHANCEMENTS WILL BE FURTHERED BY THE LEADERSHIP OF THE NEW LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY.

WE WILL CONTINUE TO BUILD UPON OUR ENTIRE RANGE OF ECONOMIC DEVELOPMENT STRATEGIES IN 1997. PERHAPS OF GREATEST IMPORTANCE WILL BE THE IMPLEMENTATION OF LANSING'S RENAISSANCE ZONE, WHICH WILL PROVIDE EXTENSIVE TAX INCENTIVES FOR BUSINESSES AND HOUSING DEVELOPERS WHO INVEST IN THE SEVEN BLOCK AND LINDELL DROP FORGE AREAS. WE WILL WORK HARD TO ACCOMMODATE AND ASSIST POTENTIAL INVESTORS IN THE RENAISSANCE ZONE.

THERE ARE OTHER EXCITING PROJECTS IN THE OFFING THAT WE ARE EXPLORING IN THE COMING YEAR. ONE OF THESE IS THE POSSIBILITY OF BRINGING A PROFESSIONAL HOCKEY TEAM TO LANSING. ANOTHER IS THE POTENTIAL DEVELOPMENT OF A PERFORMING ARTS CENTER IN THE DOWNTOWN AREA. THE SUCCESS OF OLDSMOBILE PARK DEMONSTRATES THAT TAKING INITIATIVE ON LARGE PROJECTS CAN LEAD TO MAJOR ACHIEVEMENTS FOR OUR CITY, SO I AM COMMITTED TO EXPLORING THESE EFFORTS.

#### REGIONAL COOPERATION

ANOTHER KEY TO OUR ECONOMIC RESURGENCE AND POSITIVE COMMUNITY SPIRIT IS THE SUPPORT AND COOPERATION WE RECEIVE FROM SURROUNDING COMMUNITIES. WORKING CREATIVELY WITH OUR REGIONAL PARTNERS ALLOWS US TO PROVIDE BETTER SERVICE AND SAVE MONEY. WE ARE ENGAGED IN SEVERAL PROJECTS THAT DO JUST THAT.

WE DEVELOPED A REGIONAL WATER AUTHORITY; WE DEVELOPED AN INNOVATIVE GROESBECK DRAIN PROJECT, WHICH ELIMINATES SEWAGE FROM THE DRAIN WHILE AT THE SAME TIME ENHANCING GOLF COURSE RENOVATIONS. WE INITIATED MUTUAL AID AGREEMENTS FOR THE SHARING OF EMERGENCY FIRE SERVICES; COOPERATIVE TRAINING PROGRAMS; AND RECYCLING. ALL OF THESE PROJECTS DEMONSTRATE THE SERVICE IMPROVEMENTS AND COST SAVINGS THAT ARE POSSIBLE WHEN REGIONAL GOVERNMENTS WORK TOGETHER.

REGIONAL COOPERATION ALLOWS US TO MAKE REAL QUALITY OF LIFE IMPROVEMENTS FOR OUR CITIZENS. THE CREATION OF MAPLEWOOD LAKE PARK, THE SOCCER COMPLEX ON PINE TREE ROAD, AND THE NEW ICE DOME AT SOUTH WASHINGTON PARK ARE EXAMPLES OF THESE EFFORTS.

PARTNERING WITH REGIONAL GOVERNMENTS ALSO HAS ALLOWED US TO EXPAND CULTURAL ACTIVITIES, SUCH AS THE WONDERLAND OF LIGHTS AT THE POTTER PARK ZOO. WE HAVE JOINED WITH EAST LANSING IN SPONSORING AN ALCOHOL-FREE FESTEVE CELEBRATION ON NEW YEARS EVE, WHICH DOUBLED IN SIZE AND ATTENDANCE.

BECAUSE WE LIVE IN AN INTERNATIONAL ECONOMY, WE REAFFIRM OUR SUPPORT FOR THE REGIONAL SISTER CITY COMMISSION, WHICH HELPS US MAINTAIN AN ACTIVE RELATIONSHIP WITH OUR SISTER CITIES IN JAPAN, RUSSIA, AND MEXICO. THE POTENTIAL FOR NEW RELATIONSHIPS WITH CITIES IN CHINA, AFRICA, AND AUSTRALIA ALSO IS BEING EXPLORED. I HAVE ASKED THE COMMISSION TO FOCUS ON STRENGTHENING INTERNATIONAL LINKS WITH OUR SCHOOLS.

WORKING WITH OUR REGIONAL PARTNERS, I BELIEVE A DISTRICT LIBRARY CAN BE CREATED BY THIS MARCH AND A MILLAGE ELECTION HELD THIS SUMMER SO THAT WE CAN ENHANCE LIBRARY SERVICES IN THE GREATER LANSING AREA. WE ALSO WILL BEGIN DISCUSSIONS REGARDING COST SAVINGS AND IMPROVED SERVICES IN HEALTH CARE AND TELECOMMUNICATIONS.

#### NEIGHBORHOODS, FAMILIES AND YOUTH

ALTHOUGH THE ENGINE OF OUR PROGRESS AND SUCCESS IS OUR ECONOMIC DEVELOPMENT AND THE FUTURE OF LANSING DEPENDS UPON REGIONAL COOPERATION, THE HEART AND SOUL OF OUR COMMUNITY IS OUR NEIGHBORHOODS AND FAMILIES. OUR NEIGHBORHOOD REVITALIZATION REVOLVES AROUND THREE MAJOR INITIATIVES: IMPROVING SAFETY AND SECURITY; IMPROVING THE HOUSING STOCK AND INCREASING HOME OWNERSHIP; AND ENHANCING SERVICES AND PROGRAMS.

TO IMPROVE THE SAFETY AND SECURITY OF OUR NEIGHBORHOODS, WE HAVE OPENED THE SOUTHSIDE PRECINCT AND COMMUNITY CENTER. FIVE NEW NEIGHBORHOOD ASSOCIATIONS AND SEVERAL NEIGHBORHOOD WATCH PROGRAMS HAVE DEVELOPED SINCE ITS OPENING LAST APRIL. WE HAVE INTRODUCED INTERDEPARTMENTAL AND COMMUNITY PROBLEM SOLVING TEAMS TO ADDRESS NEIGHBORHOOD PROBLEMS. WE ARE COMMITTED TO ESTABLISHING NETWORK CENTERS IN EACH WARD OF THE CITY AND WILL REESTABLISH A NETWORK CENTER ON THE EASTSIDE AND ONE IN THE SOUTHWEST QUADRANT OF THE CITY AS PART OF THE CAPITAL PROJECT OF THE BOYS AND GIRLS CLUB. WE ALSO WILL BE RECOMMENDING A SITE FOR THE NEW NORTHSIDE PRECINCT.

WE INITIATED A CONCENTRATED CODE ENFORCEMENT PROGRAM TO DO AWAY WITH DANGEROUS AND UNSAFE HOUSING CONDITIONS AND HAVE CONTRACTED WITH MICHIGAN STATE UNIVERSITY TO EVALUATE OUR COMMUNITY POLICING PROGRAM.

WE HAVE BEGUN A CITIZEN'S POLICE ACADEMY, RE-CREATED THE POLICE-COMMUNITY RELATIONS ADVISORY COMMITTEE AND SUBMITTED A 13 POINT ACTION PLAN: ALL DESIGNED TO IMPROVE OUR SERVICES, ENHANCE PUBLIC UNDERSTANDING OF POLICE OPERATIONS AND BUILD AN ONGOING DIALOGUE BETWEEN ALL ELEMENTS OF THE COMMUNITY AND THE POLICE.

IN HIS INAUGURAL ADDRESS, PRESIDENT CLINTON SAID, AND I QUOTE:

"THE DIVIDE OF RACE HAS BEEN AMERICA'S CURSE. PREJUDICE AND CONTEMPT, CLOAKED IN THE PRETENSE OF RELIGIOUS OR POLITICAL CONVICTION, ARE NO DIFFERENT." END QUOTE.

I THINK THOSE ARE VERY WISE WORDS AND I AGREE WITH THE PRESIDENT. THE KIDS HERE TODAY REPRESENT LANSING'S WONDERFUL DIVERSITY. WE ALL CAN GET ALONG, AND LIVE TOGETHER, AND WORK TOGETHER, AND MOST IMPORTANTLY SUCCEED TOGETHER. BUT IT REQUIRES ALL OF US TO SET ASIDE PREJUDICE, ROLL UP OUR SLEEVES AND WORK TOGETHER TO SOLVE OUR PROBLEMS.

NEIGHBORHOOD STABILITY REQUIRES COMMITTED HOMEOWNERS. IT IS ESSENTIAL TO THE FUTURE OF OUR CITY TO ENCOURAGE AND SUPPORT HOME OWNERSHIP AND HOME IMPROVEMENTS. IN THE LAST THREE YEARS WE HAVE SEEN AN INCREASE IN SINGLE FAMILY HOME OWNERSHIP. IN ADDITION, THERE IS A SIGNIFICANT INCREASE IN NEW HOUSING STARTS AND PLANS ON THE DRAWING BOARDS FOR MORE. OUR RENAISSANCE ZONE IS THE ONLY ONE IN THE STATE THAT HAS A HOUSING COMPONENT IN IT. AND WE WANT TO CONTINUE AND EXPAND OUR VERY SUCCESSFUL CITY EMPLOYEE HOME OWNERSHIP PROGRAM.

MANY ORGANIZATIONS SUCH AS LOCAL BANKS, COMMUNITY DEVELOPMENT CORPORATIONS AND THE LOCAL INITIATIVE SUPPORT CORPORATION, SHOULD BE CREDITED FOR THEIR COMMITMENT TOWARDS INCREASED HOME OWNERSHIP AND HOUSING REHABILITATION IN OUR CITY. AMONG THESE EFFORTS IS A NEW FUND RAISING INITIATIVE, THE LANSING PARTNERSHIP FOR STRONGER NEIGHBORHOODS, WHICH HAS SET A GOAL OF RAISING \$580,000. IN ADDITION, A CONSORTIUM OF CHURCHES, BLACK AND WHITE, HAS ANNOUNCED THAT IT WILL REHAB AND SECURE HOME OWNERSHIP FOR 84 HOMES IN THE NEXT 18 MONTHS. I WANT TO THANK REVEREND COLUMBUS CLAYTON AND RON MORIN FOR TAKING THE LEAD AND DEMONSTRATING HOW MUCH WE CAN ACHIEVE WHEN WE WORK TOGETHER TO SOLVE COMMUNITY PROBLEMS.

CRITICAL TO A FAMILY'S DECISION TO STAY IN LANSING IS THE QUALITY OF LIFE IN OUR NEIGHBORHOODS. IN A NEEDS ASSESSMENT COMPLETED BY OUR DEPARTMENT OF HUMAN RELATIONS AND COMMUNITY SERVICES, LANSING CITIZENS IDENTIFIED CHILD CARE

AND YOUTH SERVICES AS THEIR TOP TWO PRIORITIES. WE HAVE RESPONDED AND COMMITTED OURSELVES TO OUR NEIGHBORHOODS BY BUILDING PLAYGROUNDS, EXPANDING PARKS, RENOVATING COMMUNITY CENTERS AND SWIMMING POOLS AND OFFERING A WIDE RANGE OF RECREATIONAL, SPORTS AND LEISURE PROGRAMS. OUR POLICE ATHLETIC LEAGUE HAS GROWN FROM 800 PARTICIPANTS IN 1994 TO 1600 THIS YEAR. THIS YEAR WE WILL BREAK GROUND ON THE NEW SOUTHSIDE COMMUNITY CENTER AND BRING TO FRUITION OUR PARTNERSHIP WITH THE BOYS AND GIRLS CLUB.

WE HAVE FUNDED AFTER-SCHOOL YOUTH PROGRAMS, CHILD CARE BENEFITS, HEALTH CARE AND SENIOR CITIZEN PROGRAMS. FURTHERMORE, ALL OUR DEPARTMENTS HAVE FOCUSED ON WAYS THEY CAN REACH OUT TO NEIGHBORHOODS, SCHOOLS, SENIORS, FAMILIES, AND YOUTH.

FINALLY, WE LAUNCHED 'PROJECT PARENT' WHICH ENCOURAGES AND SUPPORTS THE EXPANSION OF FAMILY-FRIENDLY ACTIVITIES BY BUSINESSES, UNIONS, SCHOOLS, RELIGIOUS AND COMMUNITY ORGANIZATIONS. I WANT TO THANK THE *LANSING STATE JOURNAL* FOR ITS SUPPORT AND PROMOTION OF THIS IMPORTANT PROGRAM.

#### CITY MANAGEMENT

WHEN I TOOK OFFICE AS YOUR MAYOR, I SAID THAT WE WOULD DO THINGS DIFFERENTLY AT CITY HALL. AND WE HAVE. IN BOTH OUR FINANCIAL MANAGEMENT, AND IN THE QUALITY OF OUR SERVICES, WE HAVE MADE GREAT STRIDES.

IN THE LAST THREE YEARS, WE HAVE BALANCED OUR BUDGET, ESTABLISHED A BUDGET STABILIZATION FUND TO PROTECT US AGAINST DOWNTURNS IN THE ECONOMY, REFINANCED OUR PARKING SYSTEM DEBT AND STRENGTHENED OUR CREDIT RATING. WE HAVE REDUCED WORKERS' INJURIES AND OUR WORKERS' COMPENSATION PAYMENTS BY 30% AND WE CUT OUR INSURANCE COSTS WHILE EXPANDING COVERAGE. WE SAVED MONEY.

WE HAVE COMMITTED OURSELVES TO A QUALITY IMPROVEMENT STYLE OF MANAGEMENT. WE HAVE CONTINUED TO IMPROVE LABOR RELATIONS, EXPANDED TRAINING, CREATED EMPLOYEE RECOGNITION PROGRAMS, BEGAN AN EMPLOYEE NEWSLETTER AND INITIATED STRATEGIC PLANNING. WE HAVE SIGNIFICANTLY INCREASED THE NUMBER OF COMPUTERS AND OTHER TECHNOLOGY NEEDED TO IMPROVE THE EFFICIENCY OF OUR WORKERS.

THROUGH THE LEADERSHIP OF CITY CLERK MARILYN SLADE, WE HAVE DEVELOPED A WEBSITE THAT PROVIDES ACCESS TO CITY INFORMATION AND OPERATIONS.

WHEN OUR PARKING SYSTEM WAS INSOLVENT AND THE STORM SEWER PROJECT HAD NO LONG-TERM FINANCING,

I PROPOSED SOLUTIONS THAT, ALTHOUGH CONTROVERSIAL AND PAINFUL, WERE PRUDENT AND SUCCESSFUL.

AS A CONSEQUENCE OF OUR SOUND FINANCIAL MANAGEMENT AND IMPROVED CREDIT RATING, THE CITY WAS ABLE TO REFINANCE ITS 1988 AND 1990 ENVIRONMENTAL BONDS AND SAVE \$500,000. I AM RECOMMENDING THAT THIS \$500,000 SAVINGS BE PASSED ON TO LANSING CITIZENS IN THE FORM OF A PROPERTY TAX CUT. THIS TAX CUT MAY BE SMALL, BUT IT IS SIGNIFICANT BECAUSE IT WOULD BE THE FIRST TIME IN 16 YEARS THAT MONEY SAVED IS GIVEN BACK TO TAXPAYERS.

THAT IS MY COMMITMENT TO YOU: WHEN WE FACE A PROBLEM, WE WILL DO EVERYTHING IN OUR POWER TO CORRECT IT. WHEN TAX RELIEF IS POSSIBLE, YOU WILL GET IT!

COUNCILMEMBERS AND FELLOW CITIZENS: I AM EXCITED ABOUT LANSING. OUR ECONOMY IS STRONG, OUR CITY GOVERNMENT IS RESPONSIVE AND EFFECTIVE. WE HAVE AN ACTIVE AND HEALTHY COMMUNITY WITH A SPIRIT OF OPTIMISM. WE HAVE NEW ECONOMIC AND COMMUNITY DEVELOPMENT PROJECTS, WITH MORE COMING ON LINE. WE HAVE PEOPLE AND BUSINESSES WHO WANT TO LIVE AND WORK IN LANSING AND IN OUR REGION. WE HAVE VITAL NEIGHBORHOODS AND NEIGHBORHOOD ASSOCIATIONS. WE HAVE EXCELLENT SCHOOLS THAT ARE POISED TO TAKE ON THE CHALLENGES OF EDUCATION FOR THE FUTURE. WE HAVE OVERCOME OBSTACLES, FOUND SOLUTIONS TO PROBLEMS AND SHOWN THAT WE CAN MAKE IT HAPPEN. LET US GO TOGETHER INTO THIS YEAR WITH THE ENERGY AND ATTITUDE NECESSARY TO BUILD OUR COMMUNITY, TO STRENGTHEN OUR SCHOOLS AND GOVERNMENT AND TO CONTINUE TO GROW LANSING INTO THE WORLD CLASS CAPITAL CITY THAT IT CAN AND WILL BECOME. THANK YOU VERY MUCH!

**ADJOURNED 9:00 P.M.**

**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

ABSENT: COUNCILMEMBER NOVAK

THE INVOCATION WAS OBSERVED AS A MOMENT OF SILENCE, AND THE PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMEMBER BEAL

### CONSIDERATION OF LATE ITEMS

BY COUNCILMEMBER BENAVIDES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER BENAVIDES; STORMWATER ENTERPRISE FUND FEE APPEAL FROM DARNELL OLDHAM, SR. OF 3815 BERWICK
2. FROM COUNCILMEMBER BENAVIDES; STORMWATER ENTERPRISE FUND FEE APPEAL FROM CECILIA COLEMAN OF 3407 CHURCHILL
3. FROM COUNCILMEMBER BENAVIDES; STORMWATER ENTERPRISE FUND FEE APPEAL FROM LEE V. OWENS OF 4117 WAINWRIGHT AVE.
4. FROM COUNCILMEMBER ALLEN; A LETTER FROM CAROL WOOD OF 1018 W. LAPEER SUBMITTING HER RECOMMENDATIONS FOR IMPROVEMENT OF POLICE AND COMMUNITY RELATIONS
5. FROM COUNCILMEMBER ALLEN; A LETTER FROM KELLY PROPER REGARDING TRAFFIC PROBLEMS ON CAVANAUGH RD. AT CAVANAUGH ELEMENTARY SCHOOL
6. FROM COUNCILMEMBER LEEMAN; A LETTER FROM THE LANSING SCHOOL'S EDUCATION ASSOCIATION REGARDING THE DISTRICT LIBRARY PROPOSAL
7. FROM COUNCILMEMBER LEEMAN; A LETTER FROM RUTH HALLMAN OF NEIGHBORHOOD WATCH #120 OBJECTING TO THE ISSUANCE OF AN SDD LICENSE TO RITE AID AT 1019 W. SAGINAW

### SPECIAL CEREMONIES

- A. PATRICK MURRAY AND NANCY ERICSON OF THE

## OFFICIAL PROCEEDINGS OF THE CITY COUNCIL CITY OF LANSING PROCEEDINGS FEBRUARY 3, 1997

LANSING SCHOOL BOARD PRESENTED THE LANSING SCHOOL DISTRICT AD HOC TASK FORCE PRELIMINARY RECOMMENDATIONS TO THE CITY COUNCIL, MAYOR AND CITIZENS OF LANSING REGARDING MEAP SCORES, CURRICULUM, STAFF MORALE, DISCIPLINE AND PUBLIC RELATIONS. THESE RECOMMENDATIONS ARE ON FILE AND AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

### PUBLIC COMMENT

CAROL WOOD OF 1018 W. LAPEER PRESENTED HER OWN VERSION OF RECOMMENDATIONS FOR IMPROVING POLICE AND COMMUNITY RELATIONS. SHE OBJECTED TO THE CHARACTERIZATION OF THE OFFICERS INVOLVED IN THE DEATH OF ED SWANS AS MURDERERS. NONE OF THESE MEN HAVE BEEN CHARGED AND THE REPEATED USE OF THIS WORD IN COUNCIL CHAMBERS COULD PROVE TO BE SLANDEROUS. SHE ADVOCATED IMPROVEMENTS IN THE HOLDING AREA AT LPD AND IN THE RECRUITMENT PROCEDURES THEY USE. ADDITIONALLY, THEY SHOULD ENCOURAGE RESIDENCY.

RUTH HALLMAN OF 1014 W. LAPEER CONTINUED PRESENTING THE RECOMMENDATIONS FORMULATED BY MS. WOOD. THEY CONTAINED SUGGESTIONS FOR DIVERSITY PROGRAMS, ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCES, AND IMPROVED HANDLING OF COMPLAINTS. THEY DO NOT ADVOCATE THE CREATION OF A CITIZENS REVIEW BOARD, BECAUSE IT COULD NOT DO ANYTHING THAT THE CURRENT BOARD CANNOT DO. FINALLY, THEY DO NOT RECOMMEND DEVELOPMENT OF AN ALTERNATE NORTH SIDE PRECINCT. THIS MONEY COULD BE MORE WELL SPENT ON THE CURRENT POLICE BUILDING.

FRANK CURTIS "X", NO ADDRESS GIVEN, CRITICIZED MAYOR HOLLISTER FOR NOT APPEARING PERSONALLY ON THE WKAR-TV SHOW. HE OBJECTED TO THE RECOMMENDATIONS DEVELOPED BY MS. WOOD, BECAUSE HE DOES NOT TRUST WHITE PEOPLE.

CONNIE DELANEY OF 3721 AURELIUS RD. STATED THAT SHE HAS BEEN UNABLE TO GET A FREEDOM OF INFORMATION ACT RESPONSE TO HER INQUIRY ABOUT THE STORMWATER APPEALS HOT LINE. SHE REQUESTED A DATE FOR THE HEARING OF HER APPEAL OF 1995 STORMWATER ENTERPRISE FUND FEES.

RICHARD FISER OF 12100 S. CORK RD. URGED COUNCILMEMBERS TO HAVE PHYSICAL ENGINEERS LOOK INTO THE PROPOSED CAVANAUGH RD. IMPROVEMENTS. THIS ROAD SHOULD NOT BE LOWERED.

HELEN FISER OF 12100 S. CORK SAID THAT THE ANSWERS SHE HAS BEEN RECEIVING TO HER FOIA REQUESTS ARE INSULTING TO HER INTELLIGENCE.



CITY ATTORNEY SMIERKA OBJECTED TO MRS. FISER'S STATEMENTS AND SAID THAT HIS OFFICE HAS TRIED, IN GOOD FAITH, TO RESPOND TO HER REQUESTS. HE ANNOUNCED THAT THE PUBLIC SERVICES COMMITTEE WILL SET ASIDE A ROOM WITH ALL OF THE STORMWATER DOCUMENTATION AND THE PUBLIC WILL HAVE ACCESS TO ALL OF THIS INFORMATION AND MAY REQUEST COPIES OF WHATEVER THEY WISH.

ED SIMMER OF 2609 GIER SAID THAT MR. SWANS PROBLEM BEGAN WITH VIETNAM. THE WAR TOOK HIS LIFE, NOT THE LPD.

REVEREND ANDREW BRODY OF 1114 GLENN SPOKE IN OPPOSITION TO THE CANCELLATION OF THE JOINT COMMITTEE MEETINGS WITH THE MARCH FOR JUSTICE.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO, PASTOR OF THE FRIENDSHIP BAPTIST CHURCH, ANNOUNCED A PRAYER VIGIL TO BE HELD ON FEBRUARY 24, 1997 AT 12:00 NOON AT THE CITY HALL PLAZA AREA TO MEMORIALIZE THE FAMILIES AND VICTIMS OF POLICE BRUTALITY.

LLOYD TEETS OF 116 E. ELM ST. STATED HIS OBJECTIONS TO THE CHANGES IN COUNCIL RULE #16 & 19. HE COMPARED HIMSELF TO A THORN ON THE STEM OF A ROSE.

WILLIE DAWSON OF 1304 THEODORE DISAGREED WITH THE STATEMENTS OF ED SIMMER. SHE SAW THE VIDEO DEPICTING THE DEATH OF EDWARD SWANS IN THE LANSING CITY JAIL.

DARNELL OLDHAM OF 3815 BERWICK DR. SAID THAT HE IS STILL WAITING FOR SOMETHING TO BE DONE ABOUT THE DEATH OF ED SWANS.

### COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT JONES

CARRIED UNANIMOUSLY

A. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES OF ISSUANCE OF PERMIT #976007 FOR SEWERAGE SYSTEM CONSTRUCTION TO THE CITY OF LANSING FOR THE CAVANAUGH ROAD SANITARY SEWER RELOCATION

REFERRED TO THE MAYOR

B. LETTERS SUBMITTING STORMWATER ENTERPRISE FUND FEE APPEALS FROM:

-STEPHEN HEIL FAMILY 718 W. HOLMES RD.  
-BRUCE H. LEAVITT OF 2626 FOREST RD  
-WM. & JANETTA BLOOM 1841 E. CAVANAUGH  
-GEOFFREY MAIDLOW 2015 PROSPECT

-GEOFFREY MAIDLOW 34 S. FAIRVIEW  
-FREDICK MAIDLOW 1801 LINVAL

REFERRED TO THE MAYOR

C. LETTER FROM HELEN FISER OF 12100 S. CORK RD., MORRICE, MI REQUESTING COUNCIL TO ADDRESS PROBLEMS THEY HAVE HAD WITH FREEDOM OF INFORMATION ACT (FOIA) REQUESTS

REFERRED TO THE MAYOR

D. LETTER FROM ATTORNEY'S ON BEHALF OF SAMUEL HOPKINS REGARDING HIS REQUEST FOR REIMBURSEMENT OF LEGAL FEES

REFERRED TO THE CITY ATTORNEY

E. LETTER FROM THE HOUSING RESOURCE CENTER REQUESTING THAT COUNCIL ESTABLISH A LOAN LOSS RESERVE TO BE OPERATED IN CONJUNCTION WITH THE LANSING HOME OWNERSHIP PROGRAM (L-HOP)

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

F. LETTERS OBJECTING TO THE ISSUANCE OF A LIQUOR LICENSE TO RITE-AID AT 1019 W. SAGINAW FROM:

-RUTH ANN EVANS OF 1000 W. SAGINAW  
-JEFF AND CAROL WOOD 1018 W. LAPEER  
-GENESEE NEIGHBORHOOD ASSOCIATION

REFERRED TO THE MAYOR AND THE COMMITTEE ON GENERAL SERVICES

G. LETTER FROM RON PREADMORE OF 4220 CHRISTIANSEN RD. REQUESTING RESCISSION OF 1995-96 STORMWATER ENTERPRISE FUND FEES FOR PROPERTY OWNERS WHO DO NOT RECEIVE A SERVICE FROM THE SYSTEM

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

H. LETTER FROM THE TRI-COUNTY REGIONAL PLANNING COMMISSION SUBMITTING THEIR AUDIT REPORT FOR FY 1996

RECEIVED AND PLACED ON FILE

I. LETTER FROM REVEREND LESTER D. STONE OBJECTING TO THE CANCELLATION OF A JOINT COMMITTEE OF THE WHOLE/MARCH FOR JUSTICE MEETING

RECEIVED AND PLACED ON FILE

J. Z-01-97; 519 N. CHESTNUT, PETITION FOR REZONING FROM RESIDENTIAL TO "D-1" PROFESSIONAL OFFICE FROM PRAY AMERICA OF 519 N. CHESTNUT TO ALLOW THEM TO USE THE UPSTAIRS UNIT FOR LIGHT OFFICE USE

REFERRED TO THE MAYOR AND THE PLANNING

## BOARD

**MAYOR'S COMMENTS**

MAYOR HOLLISTER HAD NO COMMENTS AT THIS TIME.

**CITY OFFICER AND BOARD REPORTS**

A. LETTERS FROM CITY CLERK SUBMITTING ROUTINE APPLICATIONS FOR CONSIDERATION OF LICENSES AND BONDS:

1. REFERRALS: SECOND HAND DEALER - PARKER JEWELRY

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

C. LETTER FROM CITY COUNCIL VICE-PRESIDENT HAROLD LEEMAN REGARDING HIS APPOINTMENT TO A 2 YEAR TERM ON THE MICHIGAN MUNICIPAL LEAGUE

RECEIVED AND PLACED ON FILE

D. LETTERS FROM THE MAYOR RE:

1/ PUBLIC IMPROVEMENT I, CURB & GUTTER & STORM SEWER, WIELAND ST. FROM MASSACHUSETTS TO VERMONT

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2/ TRANSFER OF FUNDS: FIRE DEPARTMENT, PUBLIC SERVICE DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ GRANT APPLICATION; 1997 MICHIGAN LAND TRUST FUND

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ MICHIGAN WILDLIFE HABITAT FOUNDATION REQUEST FOR DONATION OF FUNDING TO DEVELOP AN ANGEL PRIGGOORIS MEMORIAL AT THE LAKE NEAR THE BENGAL WILDLIFE CENTER

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE COMMITTEE ON WAYS AND MEANS

5/ REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS: LANSING FUND

REFERRED TO THE COMMITTEE ON GENERAL

## SERVICES

6/ REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS: FRIENDS OF TURNER DODGE HOUSE

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

7/ TRASH VIOLATION FEE (V-34, MEMO 4) \$1,123.84

RECEIVED AND PLACED ON FILE

8/ ORDINANCE AMENDING CHAPTER 888 TO PROVIDE FOR A PAYMENT IN LIEU OF TAXES (PILOT) FOR SMOKE RISE, LDHA

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

9/ NEIGHBORHOOD ENTERPRISE ZONES RECOMMENDATION

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

10/ LETTER OF APPRECIATION FROM LARRY MEYER OF THE MICHIGAN RETAILERS ASSOCIATION FOR THE PLACEMENT AND GRAND OPENING OF THE W. SAGINAW RITE AID STORE

RECEIVED AND PLACED ON FILE

11/ RESIGNATION OF JOSEPH D. CHIN, JR. FROM THE PRINCIPAL SHOPPING DISTRICT BOARD

RECEIVED AND PLACED ON FILE

**COMMITTEE REPORTS****RESOLUTION #031****REPORT OF COMMITTEE**

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND THE PLANNING BOARD ON REZONING PETITION Z-15-96, COLONIAL TOWNHOUSES COOPERATIVE AND 3818 PLEASANT GROVE ROAD,

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED, AND THAT THE Z-15-96 ORDINANCE BE ADOPTED.

SIGNED: RICHARD J. LILLY, CHAIR  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY:

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

**RESOLUTIONS**

**THIS RESOLUTION WAS PULLED FROM THE AGENDA  
AT THE REQUEST OF COUNCILMEMBER LILLY**

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-21-96 RIVERFRONT PROPERTIES, ACQUISITION FOR  
RIVERTRAIL DEVELOPMENT

WHEREAS THE PARKS BOARD ON JULY 17, 1996  
RECOMMENDED ACQUISITION OF A CERTAIN PARCEL  
LOCATED IN THE 1500 BLOCK OF ROOSEVELT AVENUE,  
LANSING, MICHIGAN; AND

WHEREAS, SUFFICIENT FUNDS FOR PURCHASE EXIST IN  
THE PARK ACQUISITION AND DEVELOPMENT ACCOUNT; AND

WHEREAS, THE PLANNING BOARD CONDUCTED AN ACT  
285 REVIEW (ACT-21-96) OF THE PROPOSAL, AND  
FOUND, BASED UPON TESTIMONY AND EVIDENCE ON THE  
LOCATION, CHARACTER AND EXTENT OF THIS PROPOSAL,  
THAT (1) NO IMMEDIATE PRIVATE USE OF THE PARCEL IS  
ANTICIPATED, AND (2) THE ACQUISITION OF THIS PARCEL  
FOR FUTURE RIVERTRAIL IMPROVEMENTS IS IN THE  
PUBLIC INTEREST AND WELL WITHIN THE ESTABLISHED  
POLICIES OF THE CITY; AND

WHEREAS, THE PLANNING BOARD RECOMMENDED  
APPROVAL OF THE REQUEST TO ACQUIRE THE PROPERTY  
FOR FUTURE RIVERTRAIL DEVELOPMENT, CONTINGENT  
UPON OBTAINING ENVIRONMENTAL CLEARANCES AND  
APPRAISALS AS NEEDED, AND ACCEPTABLE TITLE; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND  
PLANNING HAS REVIEWED THE REPORT AND  
RECOMMENDATION OF THE PLANNING BOARD AND  
CONCURS THEREWITH;

NOW, THEREFORE BE IT RESOLVED, THE LANSING  
CITY COUNCIL HEREBY AUTHORIZES THE ADMINISTRATION  
TO ENTER INTO NEGOTIATIONS FOR THE PURCHASE OF  
THE REAL PROPERTY COMMONLY KNOWN AS 12556  
ROOSEVELT AVENUE, LANSING, MICHIGAN (PPN 3301-  
08-229031), AND MORE PARTICULARLY DESCRIBED AS  
LOTS 171 AND 172, KNOLLWOOD PARK SUBDIVISION,  
CITY OF LANSING, INGHAM COUNTY, MICHIGAN, SUBJECT  
TO FINAL CITY COUNCIL APPROVAL.

**RESOLUTION #032**

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
ACT-21-96,  
ACQUISITION OF RIVERFRONT PROPERTIES

WHEREAS, THE MICHIGAN DEPARTMENT OF NATURAL  
RESOURCES (MDNR) HAS OFFERED FOR SALE TO THE  
CITY THROUGH THE MDNR REAL ESTATE DIVISION THREE

TAX REVERTED PARCELS ON OR NEARBY THE GRAND  
RIVER FOR THE NOMINAL SUM OF SEVENTY-FIVE DOLLARS  
(\$75) PER PARCEL; AND

WHEREAS, THE PARK BOARD AT ITS JULY 1-7, 1996  
MEETING RECOMMENDED ACQUISITION OF SAID PARCELS;  
AND

WHEREAS, THERE ARE SUFFICIENT FUNDS IN THE PARK  
ACQUISITION AND DEVELOPMENT ACCOUNT TO PURCHASE  
SAID PARCELS; AND

WHEREAS, THE PLANNING BOARD CONDUCTED AN ACT  
285 REVIEW (ACT-21-96) OF THE PROPOSAL, AND  
FOUND, BASED UPON TESTIMONY AND EVIDENCE ON THE  
LOCATION, CHARACTER AND EXTENT OF THIS PROPOSAL,  
THAT (1) NO IMMEDIATE PRIVATE USE OF THE PARCELS IS  
ANTICIPATED, AND (2) THAT THE ACQUISITION OF THESE  
PARCELS FOR FUTURE RIVERTRAIL IMPROVEMENTS IS IN  
THE PUBLIC INTEREST AND WELL WITHIN THE  
ESTABLISHED POLICIES OF THE CITY; AND

WHEREAS, THE BOARD RECOMMENDED APPROVAL OF  
THE REQUEST TO ACQUIRE THE PROPERTIES FOR  
FUTURE RIVERTRAIL DEVELOPMENT, CONTINGENT UPON  
OBTAINING ENVIRONMENTAL CLEARANCES AND APPRAISALS  
AS NEEDED, AND ACCEPTABLE TITLE; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND  
PLANNING HAS REVIEWED THE REPORT AND  
RECOMMENDATION OF THE PLANNING BOARD AND  
CONCURS THAT THE PROPERTIES BE ACQUIRED;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY  
COUNCIL HEREBY AUTHORIZES THE CITY TO PURCHASE  
THE FOLLOWING DESCRIBED REAL PROPERTY PARCELS:

PARCEL A (PPN 3301-05-352-011):

COMMENCING 195 FEET EAST OF THE SW CORNER  
OF SECTION 5, THENCE EAST 38 FEET, THENCE  
NORTH 132 FEET, WEST 38 FEET, AND SOUTH  
132 FEET TO THE POINT OF BEGINNING, T4N,  
R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

PARCEL B (PPN 3301-21-178-003):

THE WEST 6 FEET OF THE NORTH 1/2 OF LOT 3,  
AND THE NORTH 1/2 OF LOT 4, BLOCK 195,  
ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY,  
MICHIGAN

PARCEL C (PPN 3301-21-178-021):

COMMENCING AT THE SOUTH LINE OF ELM STREET,  
49 FEET EAST OF THE NORTHEAST CORNER LOT 4,  
THENCE EAST 33 FEET, SOUTH 82.5 FEET, WEST  
33 FEET, NORTH 82.5 FEET TO THE POINT OF  
BEGINNING, BLOCK 195, ORIGINAL PLAT, CITY OF  
LANSING, INGHAM COUNTY, MICHIGAN

FOR THE SUM OF \$75.00 PER PARCEL, SUBJECT TO  
THE TERMS AND CONDITIONS CUSTOMARILY PLACED ON

THE SALE OF TAX REVERTED MDNR REAL PROPERTY.

BE IT FURTHER RESOLVED THAT BECAUSE THE CITY IS PURCHASING THE PARCELS OF REAL ESTATE FROM THE STATE OF MICHIGAN AS STATE-OWNED TAX REVERTED PROPERTY, THE COUNCIL WAIVES THE CITY POLICY REQUIREMENT OF APPRAISALS AND ENVIRONMENTAL ASSESSMENTS ON THESE PARCELS.

BE IT FURTHER RESOLVED THE PARCELS BE PURCHASED FROM FUNDS IN THE PARKS ACQUISITION AND DEVELOPMENT ACCOUNT.

BE IT FINALLY RESOLVED THAT THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESTATED PURCHASE, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #033**

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
SLU-7-96,

3700 S. WAVERLY ROAD, SUITE 5,  
USE FOR CHURCH OFFICES AND MEETINGS

WHEREAS, WAVERLY HOLMES L.L.C. HAS REQUESTED A SPECIAL LAND USE (SLU-7-96) PERMIT TO CONTINUE TO LEASE A PORTION OF THE SHOPPING CENTER TO USE FOR SPIRIT LIFE CHURCH'S OFFICES AND MEETINGS, AND

WHEREAS, THE CHURCH OCCUPIES SUITE 5, A 30'x 80' (2,400 SQ. FT.) PORTION OF THE 25,000 SQ. FT. WAVERLY HOLMES CENTER, AND

WHEREAS, SECTION 1268.04(B) OF THE ZONING CODE ALLOWS CHURCH USES IN THE "F" COMMERCIAL DISTRICT WITH A SPECIAL LAND USE PERMIT, AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING ON OCTOBER 1, 1996 AT WHICH TIME A REPRESENTATIVE OF THE PROPERTY OWNER SPOKE SUPPORTING THE PETITION, AND THE APPROVED MINUTES OF SAID PLANNING BOARD MEETING ARE ON FILE IN THE CITY CLERK'S OFFICE, AND

WHEREAS, THE PLANNING BOARD HAS REVIEWED THE PETITION, ACCORDING TO CHAPTER 1282 OF THE PLANNING AND ZONING CODE, AND AT THEIR OCTOBER 21, 1996 MEETING UNANIMOUSLY (6-0) RECOMMENDED APPROVAL OF THE REQUEST, FINDING THAT THE REQUEST MET THE NINE CRITERIA, AS FOUND IN CHAPTER 1282 OF THE ZONING CODE, FOR EVALUATING REQUESTS FOR SPECIAL LAND USE PERMITS, AND THE APPROVED MINUTES OF SAID PLANNING BOARD MEETING ARE ON FILE IN THE CITY CLERK'S OFFICE, AND

WHEREAS, THE MAYOR CONCURS IN THE RECOMMENDATION OF THE PLANNING BOARD, AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON JANUARY 13, 1997, AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH,

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF LANSING HEREBY APPROVES THE SPECIAL LAND USE REQUEST BY WAVERLY HOLMES L.L.C. (SLU-7-96) FOR THE CONTINUED LEASE OF SUITE 5, A PORTION OF THE SHOPPING CENTER AT 3700 S. WAVERLY ROAD TO USE FOR CHURCH OFFICES AND MEETINGS, ON THE CONDITION THAT THE CHURCH FACILITY MEET ALL LOCAL, STATE AND FEDERAL CODES AND ORDINANCES,

BE IT FURTHER RESOLVED THAT THE SPECIAL LAND USE SHALL NOT BE EFFECTIVE AND/OR SHALL ONLY REMAIN EFFECTIVE UNTIL AND UNLESS FULL COMPLIANCE WITH THE CONDITION SET FORTH IN THIS RESOLUTION.

BE IT FINALLY RESOLVED THAT IN GRANT THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

1. THE PROPOSED SPECIAL LAND USE IS HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND SURROUNDING USES.

2. THE PROPOSED SPECIAL LAND USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY.

3. THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTIES.

4. THE CHURCH WILL BE AN IMPROVEMENT TO THIS AREA.

5. THE PROPOSED SPECIAL LAND USE WILL NOT BE HAZARDOUS TO ADJACENT PROPERTIES.

6/7. THE PROPOSED SPECIAL LAND USE WILL NOT PLACE ANY DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITIES.

8/9. THE PROPOSED SPECIAL LAND USE IS CONSISTENT WITH THE INTENT OF THE ZONING CODE AND OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #034**  
**BY THE COMMITTEE ON**  
**DEVELOPMENT AND PLANNING**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

ACT-11-96  
 PUMPING STATION  
 NORTH END OF ROOSEVELT AND LANSING AVENUE

WHEREAS, THE CITY OF LANSING PUBLIC SERVICE DEPARTMENT, HAS REQUESTED THAT AN ACT 285 REVIEW BE CONDUCTED TO CONSIDER THE ACQUISITION OF FIVE PARCELS OF LAND TO ADD TO THE OVERALL DEVELOPMENT SITE FOR A NEW PUMPING STATION AND SANITATION BASIN AT THE NORTH END OF ROOSEVELT AND LANSING AVENUE. THE PROPERTY IS ZONED "B" RESIDENTIAL, WHERE PUBLIC UTILITY/FACILITIES ARE PERMITTED SUBJECT TO OBTAINING A SPECIAL LAND USE PERMIT (SLU-8-96) WHICH IS ADDRESSED IN A SEPARATE RESOLUTION; AND

WHEREAS, THE PROPOSED PROJECT WOULD INCLUDE THE ACQUISITION OF FIVE PARCELS AND THE CLOSURE OF THE NORTH END OF LANSING AVENUE; AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING FOR THE ACT 285 REVIEW ON OCTOBER 1, 1996, WHERE JIM SPANGLER OF THE PUBLIC SERVICE DEPARTMENT SPOKE ON BEHALF OF THE APPLICANT, AND NO MEMBERS OF THE PUBLIC SPOKE; AND

WHEREAS, IMMEDIATELY AFTER THE PUBLIC HEARING, MEMBERS OF THE PUBLIC EXPRESSED THEIR PREFERENCE TO THE APPLICANT FOR THE TURNAROUND AT THE END OF LANSING AVENUE, ACCORDING TO THE ALTERNATIVE H SITE PLAN DATED SEPTEMBER 16, 1996; AND

WHEREAS, THE PLANNING BOARD REVIEWED THE LOCATION, CHARACTER AND EXTENT OF THIS PROPOSAL AND ON NOVEMBER 5, 1996 UNANIMOUSLY (7-0), THE BOARD FOUND THAT:

1. THE PROPOSAL IS ACCEPTABLE TO AREA RESIDENTS, WHO PREFER THE ALTERNATIVE H PLAN, WHICH ALLOWS FOR A "T-TYPE" TURNAROUND INSTEAD OF THE THROUGH STREET CONNECTING LANSING AVENUE TO ROSENEATH AVENUE,
2. THE PROPOSED PROJECT SERVES THE PUBLIC INTEREST BY REPLACING THE CURRENT LANSING AVENUE PUMP STATION, AND PROVIDING ESSENTIAL SERVICES TO THE CITY OF LANSING,
3. THE PROPOSED PROJECT CONSIDERS THE LONG TERM NEEDS FOR WASTEWATER TREATMENT; AND

WHEREAS, ON NOVEMBER 5, 1996 THE BOARD VOTED UNANIMOUSLY (7-0) TO RECOMMEND APPROVAL OF ACT-11-96 WITH CONDITIONS; AND

WHEREAS, THE DEVELOPMENT AND PLANNING COMMITTEE OF CITY COUNCIL HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY AUTHORIZES THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS FOR THE PURCHASE OF THE FOLLOWING PARCELS, SUBJECT TO COMPLIANCE WITH THE REQUIREMENTS OF THE CITY CHARTER AND REAL PROPERTY ACQUISITION ORDINANCE AND FURTHER SUBJECT TO FINAL CITY COUNCIL APPROVAL:

- ▶ LOTS 340, 341, 413, AND 419, NORTH HIGHLAND SUBDIVISION, CITY OF LANSING, MICHIGAN, INGHAM COUNTY, MICHIGAN,
- ▶ AN EASEMENT FOR THE NORTH 151 OF LOT 412, NORTH HIGHLAND SUBDIVISION, CITY OF LANSING, MICHIGAN, INGHAM COUNTY, MICHIGAN,
- ▶ PARCEL # 3301-08-228-61 1, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NE CORNER LOT 180, THENCE W 140 FEET, THENCE N 56 FEET TO THE SOUTHERLY LINE OF THE LANSING MANUFACTURERS' RAILROAD ROW, THENCE SOUTHEASTERLY ALONG THE ROW TO A POINT 10 FEET NORTH OF THE SE CORNER LOT 179, THENCE SOUTH 10 FEET TO THE POB, BEING A PART OF LOTS 178 AND 179, KNOLLWOOD PARK SUBDIVISION, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

BE IT FINALLY RESOLVED, THE CITY COUNCIL HEREBY APPROVES, SUBJECT TO THE ABOVE MENTIONED ACQUISITIONS, THE FOLLOWING ACTIONS, PROVIDED THAT THE PUBLIC SERVICE DEPARTMENT WORK WITH THE ADJACENT NEIGHBORHOOD AND PARKS AND RECREATION DEPARTMENT ON THE DEVELOPMENT OF THE SITE, AND PROVIDED FURTHER THAT ADEQUATE LANDSCAPE, SCREENING AND BUFFERING BE PROVIDED AROUND THE PERIMETER OF THE ENTIRE PROJECT AREA UPON DEVELOPMENT AND DISCUSSED WITH THE SURROUNDING NEIGHBORHOOD AT THE TIME THE ORIGINAL PUMP STATION IS DEMOLISHED:

- CLOSURE OF LANSING AVENUE NORTH OF THE SOUTH LINE OF LOT 413 (APPROX. 200' OF THE NORTH END OF THE ROW); AND THE INSTALLATION OF A CUL-DE-SAC OR TURNAROUND FOR VEHICULAR TRAFFIC,
- CLOSURE OF THE ROOSEVELT AVENUE ACCESS TO THE UNIMPROVED DRIVE LOCATED ON CONRAIL PROPERTY TO THE NORTH,
- REDEVELOPMENT OF THE LANSING AVENUE PUMP STATION ACCORDING TO THE ALTERNATIVE 11 SITE PLAN DATED 9/16/96 WHICH PROVIDES A TURNAROUND AT THE NORTH END OF LANSING AVENUE.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #035**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-1-97 ACQUISITION OF VARIOUS STATE-OWNED  
PROPERTIES - FERRIS PARK ET AL.

WHEREAS, THE CITY OF LANSING HAS NEGOTIATED THE  
PURCHASE OF PARCELS AT SEVEN LOCATIONS FROM THE  
STATE OF MICHIGAN, AS NOTED IN P.A. 531 OF 1996  
(FORMERLY HB 4133); AND

WHEREAS, ON JANUARY 14, 1997, THE PLANNING  
BOARD REVIEWED THE LOCATION, CHARACTER, AND  
EXTENT OF THIS PROPOSAL IN ACCORDANCE WITH P.A.  
285 OF 1931, AND UNANIMOUSLY (6-0), THE BOARD  
FOUND THAT:

- (1) THE PARCELS ARE AVAILABLE TO THE CITY AT  
THE NOMINAL COST OF \$1.00 EACH,
- (2) THE ACQUISITION OF THESE PROPERTIES IS IN  
ACCORDANCE WITH ESTABLISHED GOALS AND  
POLICIES REGARDING THE DEVELOPMENT OF  
THE CITY,
- (3) THE PARCELS ARE ALREADY IN USE AS CITY  
FACILITIES, FOR THE BENEFIT OF LANSING  
RESIDENTS; AND

WHEREAS, ON JANUARY 14, 1997, THE BOARD VOTED  
UNANIMOUSLY (6-0) TO RECOMMEND THAT THE CITY OF  
LANSING ACQUIRE CERTAIN PARCELS, AS CONTAINED IN  
P.A. 531 OF 1996.

WHEREAS, THE DEVELOPMENT AND PLANNING  
COMMITTEE REVIEWED THE REPORT OF THE PLANNING  
BOARD AND CONCURS THEREWITH;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY  
COUNCIL HEREBY AUTHORIZES THE CITY TO PURCHASE  
THE FOLLOWING PARCELS OFFERED TO THE CITY BY THE  
STATE OF MICHIGAN IN P.A. 531 OF 1996 AND FOR  
THE COMPENSATION RECITED IN SAID ACT:

- **PARCEL #1:** A PORTION OF PENNSYLVANIA AVENUE  
(MICHIGAN TO SAGINAW), MORE PARTICULARLY  
DESCRIBED AS:

THE FOLLOWING TRACK OR PARCEL OF LAND  
DESCRIBED AS FOLLOWS VIZ A STRIP OF LAND  
THREE RODS IN WIDTH TAKEN FROM THE WEST SIDE  
OF THE EAST HALF OF THE NORTH WEST QUARTER,  
AND A STRIP OF LAND FOUR RODS IN WIDTH FROM  
THE EAST SIDE OF THE WEST HALF OF THE NORTH  
WEST QUARTER OF SECTION 15 IN TOWNSHIP  
NUMBER FOUR, NORTH OF RANGE NUMBER TWO  
WEST, IT BEING A STRIP OF LAND SEVEN RODS IN  
WIDTH AND ONE HUNDRED SIXTY RODS IN LENGTH.

TO HAVE AND TO HOLD THE AFORESAID PREMISES AS  
AND FOR A PUBLIC HIGHWAY FOR THE USE OF THE  
PUBLIC FOREVER.

- **PARCEL #2:** VACATED CAPITOL AVENUE (PART OF  
PPN 3301-16-325-003), MORE PARTICULARLY  
DESCRIBED AS-

THAT PART OF CAPITOL AVENUE WHICH WAS  
VACATED BEGINNING AT THE SOUTHWEST CORNER OF  
LOT 5, BLOCK 110, ORIGINAL PLAT, CITY OF  
LANSING, THENCE NORTH 61 FEET 2 INCHES ON  
THE WEST LINE OF LOT 5, WEST 9 FEET, SOUTH  
61 FEET, 2 INCHES, PARALLEL TO WEST LINE OF  
LOT 5, EAST 9 FEET, TO POINT OF BEGINNING,  
SECTION 16, T4N, R2W.

- **FERRIS PARK AND PARKING** (BOTH BLOCKS), MORE  
PARTICULARLY DESCRIBED AS:

BLOCK 78 AND BLOCK 79, ORIGINAL PLAT, CITY  
OF LANSING, INGHAM COUNTY, MICHIGAN.

- **PARCEL A:** A PORTION OF THE PARCEL UNDER THE S.  
GRAND PARKING RAMP, MORE PARTICULARLY  
DESCRIBED AS:

ALL OF THAT PARCEL BOUNDED ON THE NORTH BY  
THE SOUTH LINE OF BLOCK 112, OF THE  
RECORDED PLAT OF THE CITY; ON THE EAST BY THE  
GRAND RIVER; ON THE SOUTH BY THE NORTH LINE  
OF BLOCK 113, PLAT OF CITY; AND ON THE WEST  
BY EAST LINE OF GRAND STREET, CITY OF LANSING.

- **PARCEL B:** GROESBECK GOLF COURSE (PPN 3301-  
10-226-011), MORE PARTICULARLY DESCRIBED AS:

THE EAST 1,079.9 FEET OF THE NORTH 110  
RODS (1,815 FEET OF THE SOUTHEAST 1/4,  
SECTION 10, T4N, R2W, CITY OF LANSING,  
SUBJECT TO ROAD EASEMENTS, CONTAINING 45  
ACRES, MORE OR LESS.

- **PARCEL C:** COMSTOCK PARK (PART OF PPN 3301-  
08-427-001), MORE PARTICULARLY DESCRIBED AS-

ALL OF THAT PART OF THE NORTHWEST 1/4 OF THE  
SOUTHEAST 1/4, SECTION 8, T4N, R2W, CITY OF  
LANSING, COMMENCING AT THE INTERSECTION OF  
THE NORTH LINE OF WEST MAPLE STREET WITH THE  
WEST LINE OF STATE STREET, THENCE DUE WEST TO  
THE EAST LINE OF PRINCETON AVENUE, THENCE  
SOUTH ALONG PRINCETON AVENUE TO THE NORTH  
LINE OF DALEFORD AVENUE, EAST ALONG  
DALEFORD AVENUE TO THE WEST LINE OF STATE  
STREET, NORTH ALONG STATE STREET TO  
BEGINNING, EXCEPTING THE NORTH 203 FEET  
THEREOF, CITY OF LANSING, CONTAINING 10.0  
ACRES MORE OR LESS.

- PARCEL D:** "TOURIST PARK" (LANSING TWP. PPN 3301-  
14-476-001), MORE PARTICULARLY DESCRIBED AS:

ALL THAT PART OF SECTION 14, T4N, R2W, LANSING TOWNSHIP, BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST KALAMAZOO STREET, AS EXTENDED, AND AS NOW SURVEYED 1-1/2 RODS EAST OF THE EAST 1/8 LINE OF SECTION 14, THENCE EASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE RELOCATED RED CEDAR RIVER, THENCE WESTERLY ALONG SAID RIVER TO A POINT 1-1/2 RODS EAST OF THE EAST 1/8 LINE OF SECTION 14, THENCE NORTHERLY TO THE PLACE OF BEGINNING, BEING A PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 EXCEPT STREET RIGHT-OF-WAY, 3.45 ACRES, ALSO URBANDALE NUMBER ONE, LOTS 476 TO 485 LYING EAST OF US-127 RIGHT-OF-WAY.

BE IT FURTHER RESOLVED THE FERRIS PARK PROPERTY, UPON ACQUISITION BY THE CITY, SHALL BE DEDICATED AS PARK LAND USED EXCLUSIVELY FOR PARK AND RECREATIONAL PURPOSES AND SHALL BE AVAILABLE FOR USE BY MEMBERS OF THE GENERAL PUBLIC WITHOUT REGARD TO THE PLACE OF RESIDENCE, SUBJECT TO THE TEMPORARY PARKING USE CONDITIONS IN P.A. 531 OF 1996.

BE IT FURTHER RESOLVED PARCEL B, PARCEL C AND PARCEL D, UPON ACQUISITION BY THE CITY, SHALL BE DEDICATED AS PARK LAND USED EXCLUSIVELY FOR PARK AND RECREATIONAL PURPOSES AND SHALL BE AVAILABLE FOR USE BY MEMBERS OF THE GENERAL PUBLIC WITHOUT REGARD TO THE PLACE OF RESIDENCE.

BE IT FURTHER RESOLVED THE CITY COUNCIL WAIVES THE REQUIREMENTS FOR APPRAISALS AND ENVIRONMENTAL ASSESSMENTS ON THESE PARCELS.

BE IT FINALLY RESOLVED THE MAYOR IS AUTHORIZED TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THESE TRANSACTIONS, SUBJECT TO THE PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### **RESOLUTION #036**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$20,000 IN THE FY97 GENERAL FUND BUDGET TO THE COMMUNITY PROMOTIONS ACCOUNT, FOR THE PURPOSE OF ASSISTING WITH THE EXPENSES OF LARGE COMMUNITY-ORIENTED EVENTS HELD IN CITY PARK AND RECREATION FACILITIES; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH EXPENSES IN THE AMOUNT OF \$1,000.00 FROM NICK ZABRODSKY REPRESENTING THE WESTSIDE NEIGHBORHOOD ASSOCIATION, FOR TWO MUSICAL EVENTS AT KINGSLEY CENTER ON FEBRUARY 19, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT

FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY AUTHORIZES CHARGES IN THE AMOUNT OF \$1,000.00 TO THE GENERAL ADMINISTRATION COMMUNITY PROMOTIONS ACCOUNT (#101-173901-7412890); AND

AND BE IT FURTHER RESOLVED THE CLERK IS REQUESTED TO FORWARD THIS RESOLUTION TO THE MAYOR FOR ACTION BY THE HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### **RESOLUTION #037**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, COUNCILMEMBER LILLY HAS RECOMMENDED ALTERNATIVE CHANGES TO COUNCIL RULES #16 AND #19, RESPONDING TO COMMENTS MADE BY THE PUBLIC ON PROPOSED RULE CHANGES AS INTRODUCED ON DECEMBER 16, 1996, RELATED TO OPPORTUNITIES FOR PUBLIC COMMENT AT COUNCIL MEETINGS AND THE ORDER OF THE COUNCIL AGENDA, PLUS ELIMINATION OF THE TOWN FORUM MEETINGS ON FIFTH MONDAYS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS BEEN DISCHARGED OF THE REFERRAL OF THE PROPOSED RULE AMENDMENTS IN FAVOR OF THE COMMITTEE OF THE WHOLE MAKING DECISIONS ON THE FINAL FORM OF THE AMENDMENTS; AND

WHEREAS, THE COMMITTEE OF THE WHOLE RECOMMENDS THAT THE EARLIER RULE AMENDMENTS BE FILED WITHOUT ACTION, AND THAT THE CHANGES TO RULE #16 AND #19 MADE BY THE COMMITTEE OF THE WHOLE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE ATTACHED AMENDMENTS TO RULE #16 AND RULE #19 OF THE CITY COUNCIL RULES.

BY COUNCILMEMBER LILLY

THAT CITY COUNCIL RULES #16 AND 19 BE AMENDED TO READ AS FOLLOWS

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, LEEMAN, LILLY

NAYS: COUNCILMEMBER JONES

ABSENT: COUNCILMEMBER NOVAK

ORDER OF BUSINESS

RULE 16; ORDER OF BUSINESS. THE ORDER OF BUSINESS OF THE CITY COUNCIL SHALL BE ON A PRINTED AGENDA PREPARED BY THE CITY CLERK. THE ORDER OF BUSINESS FOR COUNCIL MEETINGS SHALL BE AS FOLLOWS:

1. ROLL CALL;
2. INVOCATION AND PLEDGE OF ALLEGIANCE;
3. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS;
4. CONSIDERATION OF LATE ITEMS (LATE ITEMS ARE TO BE CONSIDERED AS PART OF THE REGULAR PORTION OF THE MEETING TO WHICH THEY RELATE.)
5. Tabled Items, IF ANY. (TABLED ITEMS ARE TO BE CONSIDERED AS PART OF THE REGULAR PORTION OF THE MEETING TO WHICH THEY
6. SPECIAL CEREMONIES AND ANNOUNCEMENTS OF CITY EVENTS (FROM COUNCILMEMBERS, MAYOR OR CITY CLERK).
7. PUBLIC AND MAYOR COMMENTS ON LEGISLATIVE MATTERS (THIS INCLUDES: SCHEDULED PUBLIC HEARINGS, CONSENT MATTERS, RESOLUTIONS, ORDINANCES FOR INTRODUCTION AND ORDINANCES FOR PASSAGE.) A PERSON MAY SPEAK FOR UP TO THREE MINUTES ON PUBLIC HEARINGS AND UP TO FIVE MINUTES ON LEGISLATIVE MATTERS.
  - A. SCHEDULED PUBLIC HEARINGS; AND
  - B. OTHER LEGISLATIVE MATTERS, COLLECTIVELY;
8. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS:
  - A. CONSENT MATTERS;
  - B. RESOLUTIONS FOR ACTION;
  - C. ORDINANCES FOR INTRODUCTION AND SETTING OF PUBLIC HEARING.
  - D. ORDINANCES FOR PASSAGE.
9. REPORTS FROM COUNCIL COMMITTEES, CITY OFFICERS, OR BOARDS AND COMMISSIONS, COMMUNICATIONS, PETITIONS, AND OTHER CITY-RELATED MATTERS. (PUBLIC MAY COMMENT FOR UP TO THREE MINUTES.)
10. MOTION OF EXCUSED ABSENCE;
11. REMARKS BY COUNCILMEMBERS;
12. REMARKS BY MAYOR OR EXECUTIVE ASSISTANT;
13. ADJOURNMENT.

RULE 19. RULES OF DECORUM FOR MEETINGS; ADDRESS BY PERSONS. THE PRESIDING OFFICER SHALL CONDUCT COUNCIL MEETINGS IN AN ORDERLY MANNER. MEMBERS OF COUNCIL AND OTHERS IN ATTENDANCE SHALL OBEY DIRECTIONS OF THE PRESIDING OFFICER. CITIZENS ATTENDING COUNCIL MEETINGS MAY HAVE UP TO THREE OPPORTUNITIES TO ADDRESS COUNCIL. SPEAKERS ARE REQUESTED TO PRINT THEIR NAMES AND ADDRESSES ON REGISTRATION SHEETS TO ASSIST IN THE ACCURACY OF THE COUNCIL PROCEEDINGS. EXTENSIONS OF SPEAKER TIME LIMITS ARE PERMISSIBLE AT THE DISCRETION OF THE COUNCIL. OPPORTUNITIES TO ADDRESS COUNCIL ARE:

- (1) PUBLIC HEARINGS. SCHEDULED PUBLIC HEARINGS ARE HELD ON SPECIFIC LEGISLATIVE MATTERS UNDER CONSIDERATION BY COUNCIL. A

THREE MINUTE TIME LIMIT IS IMPOSED PER SPEAKER.

- (2) COMMENT ON LEGISLATIVE MATTERS SCHEDULED FOR ACTION. CITIZENS MAY PRESENT FACTS AND OPINIONS ON LEGISLATIVE MATTERS (CONSENT MATTERS, RESOLUTIONS AND ORDINANCES) LISTED ON THE COUNCIL AGENDA AND ON SUCH LATE LEGISLATIVE MATTERS AS MAY BE ADDED TO THE AGENDA. EACH SPEAKER IS LIMITED TO FIVE MINUTES TOTAL ON LEGISLATIVE MATTERS.
- (3) COMMENT ON COMMUNICATIONS, PETITIONS, AND OTHER CITY RELATED MATTERS, INCLUDING REPORTS FROM COUNCIL COMMITTEES, CITY OFFICERS, OR BOARDS AND COMMISSIONS. CITIZENS MAY SPEAK ON ANY CITY GOVERNMENT RELATED MATTER. EACH SPEAKER IS LIMITED TO THREE MINUTES TOTAL. THE PRESIDING OFFICER MAY RULE ANY SPEAKER OUT OF ORDER FOR FAILING TO SPEAK ON CITY GOVERNMENT RELATED MATTERS.

DISRUPTIVE CONDUCT SHALL NOT BE PERMITTED. MEMBERS OF THE AUDIENCE MAY APPLAUD THE REMARKS OF ANY SPEAKER.

#### RESOLUTION #038

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING IS NAMED AS RESPONDENT IN A REAL PROPERTY TAX APPEAL, FILED WITH THE MICHIGAN TAX TRIBUNAL, WHICH IS ENTITLED FRANDORSON PROPERTIES V CITY OF LANSING, DOCKET NO. 227SS3; AND

WHEREAS, AN APPRAISER FOR THE CITY HAS PREPARED AN APPRAISAL ANALYSIS OF THE SUBJECT PROPERTY IN WHICH AN ACCURATE CONCLUSION OF VALUE IS CONTAINED; AND

WHEREAS, THE PROPERTY OWNER HAS AGREED WITH THE APPRAISER'S ANALYSIS OF VALUE; OFFERED TO SETTLE THE APPEAL BASED UPON SUCH VALUE; AND

WHEREAS, THE PROPOSED SETTLEMENT WOULD RESULT IN A REFUND OF TAXES IN THE AMOUNT OF APPROXIMATELY \$54,568.00; AND THE CITY ATTORNEY AND ASSESSOR RECOMMEND SAID SETTLEMENT RECEIVE APPROVAL BY CITY COUNCIL;

NOW, THEREFORE, BE IT RESOLVED THAT LANSING CITY COUNCIL HEREBY APPROVES PAYMENT OF APPROXIMATELY \$54,568.00, PURSUANT TO SAID PROPOSED SETTLEMENT AS A FULL AND FINAL SETTLEMENT OF SAID PROPERTY TAX APPEAL.

BE IT FINALLY RESOLVED THAT THE LAW DEPARTMENT IS AUTHORIZED TO PREPARE AND EXECUTE THE REQUISITE DOCUMENTS TO COMPLETE SETTLEMENT OF



THE AFORESAID PROPERTY TAX APPEAL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #039**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING IS NAMED AS RESPONDENT IN A REAL PROPERTY TAX APPEAL, FILED WITH THE MICHIGAN TAX TRIBUNAL, WHICH IS ENTITLED MICHIGAN STATE CHAMBER OF COMMERCE V CITY OF LANSING, DOCKET NO. 227533; AND

WHEREAS, AN APPRAISER FOR THE CITY HAS PREPARED AN APPRAISAL ANALYSIS OF THE SUBJECT PROPERTY IN WHICH AN ACCURATE CONCLUSION OF VALUE IS CONTAINED; AND

WHEREAS, THE PROPERTY OWNER HAS AGREED WITH THE APPRAISER'S ANALYSIS OF VALUE; OFFERED TO SETTLE THE APPEAL BASED UPON SUCH VALUE; AND

WHEREAS, THE PROPOSED SETTLEMENT WOULD RESULT IN A REFUND OF TAXES IN THE AMOUNT OF APPROXIMATELY \$8,075.76; AND THE CITY ATTORNEY AND ASSESSOR RECOMMEND SAID SETTLEMENT RECEIVE APPROVAL BY CITY COUNCIL;

NOW, THEREFORE, BE IT RESOLVED THAT LANSING CITY COUNCIL HEREBY APPROVES PAYMENT OF APPROXIMATELY \$8,075.76, PURSUANT TO SAID PROPOSED SETTLEMENT AS A FULL AND FINAL SETTLEMENT OF SAID PROPERTY TAX APPEAL.

BE IT FINALLY RESOLVED THAT THE LAW DEPARTMENT IS AUTHORIZED TO PREPARE AND EXECUTE THE REQUISITE DOCUMENTS TO COMPLETE SETTLEMENT OF THE AFORESAID PROPERTY TAX APPEAL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #040**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING IS NAMED AS RESPONDENT IN A REAL PROPERTY TAX APPEAL, FILED WITH THE MICHIGAN TAX TRIBUNAL, WHICH IS ENTITLED SEARS, ROEBUCK & COMPANY V CITY OF LANSING, DOCKET NO. 217032; AND

WHEREAS, AN APPRAISER FOR THE CITY HAS PREPARED AN APPRAISAL ANALYSIS OF THE SUBJECT PROPERTY IN WHICH AN ACCURATE CONCLUSION OF VALUE IS CONTAINED; AND

WHEREAS, THE PROPERTY OWNER HAS AGREED WITH THE APPRAISER'S ANALYSIS OF VALUE; OFFERED TO SETTLE THE APPEAL BASED UPON SUCH VALUE; AND

WHEREAS, THE PROPOSED SETTLEMENT WOULD RESULT IN A REFUND OF TAXES IN THE AMOUNT OF APPROXIMATELY \$21,891.27; AND THE CITY ATTORNEY AND ASSESSOR RECOMMEND SAID SETTLEMENT RECEIVE APPROVAL BY CITY COUNCIL;

NOW, THEREFORE, BE IT RESOLVED THAT LANSING CITY COUNCIL HEREBY APPROVES PAYMENT OF APPROXIMATELY \$21,891.27, PURSUANT TO SAID PROPOSED SETTLEMENT AS A FULL AND FINAL SETTLEMENT OF SAID PROPERTY TAX APPEAL.

BE IT FINALLY RESOLVED THAT THE LAW DEPARTMENT IS AUTHORIZED TO PREPARE AND EXECUTE THE REQUISITE DOCUMENTS TO COMPLETE SETTLEMENT OF THE AFORESAID PROPERTY TAX APPEAL.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

1. FROM COUNCILMEMBER BENAVIDES; STORMWATER ENTERPRISE FUND FEE APPEAL FROM DARNELL OLDHAM, SR. OF 3815 BERWICK

REFERRED TO THE MAYOR

2. FROM COUNCILMEMBER BENAVIDES; STORMWATER ENTERPRISE FUND FEE APPEAL FROM CECILIA COLEMAN OF 3407 CHURCHILL

REFERRED TO THE MAYOR

3. FROM COUNCILMEMBER BENAVIDES; STORMWATER ENTERPRISE FUND FEE APPEAL FROM LEE V. OWENS OF 4117 WAINWRIGHT AVE.

REFERRED TO THE MAYOR

4. FROM COUNCILMEMBER ALLEN; A LETTER FROM CAROL WOOD OF 1018 W. LAPEER SUBMITTING HER RECOMMENDATIONS FOR IMPROVEMENT OF POLICE AND COMMUNITY RELATIONS

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. FROM COUNCILMEMBER ALLEN; A LETTER FROM KELLY PROPER REGARDING TRAFFIC PROBLEMS ON CAVANAUGH RD. AT CAVANAUGH ELEMENTARY SCHOOL

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

6. FROM COUNCILMEMBER LEEMAN; A LETTER FROM THE LANSING SCHOOL'S EDUCATION ASSOCIATION REGARDING THE DISTRICT LIBRARY PROPOSAL

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS AND THE CITY ATTORNEY

7. FROM COUNCILMEMBER LEEMAN; A LETTER FROM RUTH HALLMAN OF NEIGHBORHOOD WATCH #120 OBJECTING TO THE ISSUANCE OF AN SDD LICENSE TO RITE AID AT 1019 W. SAGINAW

REFERRED TO THE MAYOR AND THE COMMITTEE ON GENERAL SERVICES

### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-15-96; COLONIAL TOWNHOUSES COOPERATIVE & 3818 PLEASANT GROVE RD., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-15-96; COLONIAL TOWNHOUSES COOPERATIVE & 3818 PLEASANT GROVE RD., BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

NAYS: NONE

ABSENT: COUNCILMEMBER NOVAK

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE,

HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

### ORDINANCE #2406

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-15-96, COLONIAL TOWNHOUSES COOPERATIVE & 3818 PLEASANT GROVE

PARCEL NUMBERS: 3301-31-227-072, -228-011, -230-002, -231-002, -276-252, 277-131

### COOPERATIVE LEGAL DESCRIPTION

LOTS 4 - 76 INCLUSIVE, BLUEBERRY HILL, A SUBDIVISION ON PART OF THE NE Y4 OF SECTION 31, T4N, R2W, CITY OF LANSING, COUNTY OF INGHAM, STATE OF MICHIGAN, RECORDED IN LIBER 24, PAGE 15 OF INGHAM COUNTY PLATS

### COMMUNITY BUILDING AND PARKING AREA - 3624 CALVIN

66 FEET IN WIDTH, 33 FEET ON EACH SIDE OF THE CENTERLINE OF THE FORMER N. Y CENTRAL R.R. RIGHT-OF-WAY LOCATED ACROSS THE NORTHEAST Y4 OF THE NORTHEAST Y4 OF SECTION 31, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, EXCEPT COMMENCING AT A POINT 518.3 FEET S, 180 FEET S 89 DEGREES 40' 30" W AND 33 FEET S 53 DEGREES W OF THE NORTHEAST CORNER OF SECTION 31, AFORESAID, THENCE S 53 DEGREES W 730.91 FEET TO A POINT IN THE E LINE OF CALVIN DRIVE EXTENDED 13.4 FEET N OF THE CENTERLINE OF FERROL STREET EXTENDED; THENCE N 82.64 FEET, THENCE N 53 DEGREES E 681.18 FEET, THENCE S 37 DEGREES E 66 FEET TO BEGINNING, SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

FROM COMMUNITY UNIT PLAN (CUP) TO "DM-1" RESIDENTIAL DISTRICT.

FURTHER, TO REZONE THE PROPERTY LOCATED AT 3818 PLEASANT GROVE ROAD, MORE PARTICULARLY DESCRIBED AS:

3818 PLEASANT GROVE

PARCEL NUMBERS: 3301-31-231-022 AND -024

COMMENCING ON THE EAST SECTION LINE NORTH 00 DEGREES 08 MINUTES EAST 996.5 FEET OF THE EAST Y4POST OF SECTION 31, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, - THENCE SOUTH 89 DEGREES 56 MINUTES WEST 330 FEET, - THENCE NORTH 00 DEGREES 08 MINUTES EAST 216.6 FEET, THENCE NORTH 89 DEGREES 56 MINUTES EAST 330 FEET, THENCE SOUTH 00 DEGREES 08 MINUTES WEST 216.6 FEET TO THE POINT OF BEGINNING,

FROM "C" RESIDENTIAL DISTRICT TO "DM-1" RESIDENTIAL DISTRICT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES

MARILYNN SLADE, CITY CLERK

**PUBLIC COMMENTS**

LLOYD TEETS OF 116 E. ELM ST. DISAGREED WITH THE REVISION OF COUNCIL RULE #19.

MELISSA MILLER OF 1435 GUNTHER SPOKE IN SUPPORT OF THE MARCH FOR JUSTICE AND ALBERTA JORDAN.

ALBERTA JORDAN, NO ADDRESS GIVEN, SPOKE REGARDING THE CONVICTION AND IMPRISONMENT OF HER SON, AND THE NEED TO STOP DRUG USE AMONG OUR KIDS.

REVEREND ANDREW BRODY OF 1114 GLENN SPOKE IN OPPOSITION OF THE REQUEST FOR AN SDD LIQUOR LICENSE FOR RITE AID ON W. SAGINAW. THIS STORE IS WITHIN 500' OF CHURCHES.

DARNELL OLDHAM, SR. OF 3815 BERWICK SPOKE IN OPPOSITION TO THE COUNCIL RULES REVISION THAT WAS ADOPTED TONIGHT. HE URGED COUNCILMEMBERS NOT TO USE A "TEXACO" MENTALITY.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. THANKED COUNCILMEMBER JONES FOR VOTING AGAINST THE COUNCIL RULE REVISION.

HELEN FISER OF 12100 S. CORK IN MORRICE, REMINDED THE VIEWING PUBLIC THAT NEXT MONDAY, FEBRUARY 10, 1997 AT 7:00 P.M. IS THE PUBLIC HEARING ON THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

DICK FISER OF 12100 S. CORK IN MORRICE, SAID THAT HE IS NOT OPPOSED TO RECONSTRUCTION OF CAVANAUGH RD. BUT HE WANTS THE JOB DONE RIGHT.

**COUNCILMEMBERS COMMENTS**

COUNCILMEMBER LEEMAN SENT HIS BEST WISHES FOR A QUICK RECOVERY TO MARY MARGARET MURPHY WOLL, EASTSIDE NEIGHBORHOOD ORGANIZATION PRESIDENT, WHO IS ILL IN SPARROW HOSPITAL. HE URGED PEOPLE WHO PLAN TO ATTEND NEXT MONDAY'S MEETING TO PROTEST THE STORMWATER ENTERPRISE FUND ORDINANCE TO HAVE ALTERNATIVE OPTIONS FOR FUNDING OF SEWER SEPARATION READY TO DISCUSS.

COUNCILMEMBER ALLEN ANNOUNCED A PUBLIC SERVICES COMMITTEE MEETING THIS THURSDAY AT 3:00 P.M. AND A SPECIAL PUBLIC SERVICES COMMITTEE MEETING THIS SATURDAY AT 10:00 A.M.

COUNCILMEMBER JONES ANNOUNCED MEETINGS TO DISCUSS THE RECOMMENDATIONS FOR CHANGES AT THE SCHOOL DISTRICT PURSUANT TO THE RECOMMENDATIONS THEY RECEIVED FROM THE AD HOC TASK FORCE TONIGHT. HE CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE COMMITTEE ON WAYS AND MEANS THIS TUESDAY AT 2:30 P.M.

COUNCILMEMBER BAUER COMMENDED THE SCHOOL DISTRICTS AD HOC TASK FORCE RECOMMENDATIONS AND CONGRATULATED COUNCILMEMBER LEEMAN ON HIS APPOINTMENT AS CHAIRMAN OF THE TRI-COUNTY REGIONAL PLANNING COMMISSION. SHE CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE INTERGOVERNMENTAL RELATIONS COMMITTEE THIS THURSDAY. SHE ASKED THE CITY ATTORNEY TO DISCUSS THE PROCESS FOR APPLYING FOR A SDD LIQUOR LICENSE FROM THE STATE OF MICHIGAN.

**MAYOR'S EXECUTIVE ASSISTANT'S  
RESPONSE TO COMMENTS**

MR. WIENER HAD NO COMMENTS AT THIS TIME.

**ADJOURNED 9:14 P.M.**

**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS FEBRUARY 10, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LILLY, NOVAK

ABSENT: COUNCILMEMBER LEEMAN

THE INVOCATION WAS OBSERVED AS A MOMENT OF SILENCE AND THE PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMEMBER BEAL.

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF FEBRUARY 3, 1997 AS SUBMITTED

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER BENAVIDES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THE DOWNTOWN NEIGHBORHOOD ASSOCIATION SUPPORTING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

2. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM FAITH UNITED METHODIST CHURCH IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

3. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THE EYDE COMPANY IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

4. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM GENERAL MOTORS OPPOSING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

5. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM MAYOR HOLLISTER SUBMITTING THE APPOINTMENT OF ROBERTA ALBERT TO THE ELECTED OFFICERS COMPENSATION COMMISSION FOR A TERM TO EXPIRE OCTOBER 10, 1997

6. FROM COUNCILMEMBER JONES; A RESOLUTION REGARDING THE FUNDING OF PARKS & RECREATION

DEPARTMENT PROGRAMS

7. FROM COUNCILMEMBER JONES; AN ORDINANCE REPEALING CHAPTER 280, ELECTED OFFICERS COMPENSATION COMMISSION FOR INTRODUCTION AND SETTING A PUBLIC HEARING ON FEBRUARY 24, 1997

8. FROM COUNCILMEMBER JONES; AN ORDINANCE ADDING A NEW CHAPTER, CHAPTER 280, COMPENSATION OF ELECTED OFFICIALS, FOR INTRODUCTION AND SETTING A PUBLIC HEARING ON FEBRUARY 24, 1997

**SPECIAL CEREMONIES AND  
ANNOUNCEMENT OF CITY EVENTS**

A. COUNCILMEMBER ALLEN INTRODUCED CAROL LAMPHERE, GARDNER MIDDLE SCHOOL TEACHER, ANN BLAIR, GARDNER MIDDLE SCHOOL PRINCIPAL, ANNE SMILEY, INGHAM COUNTY COMMISSIONER AND MEMBERS OF THE GARDNER MIDDLE SCHOOL "PEACE MAKER'S" CONFLICT RESOLUTION PROGRAM. THE STUDENTS DESCRIBED THE PROGRAM AND HOW IT IS OPERATED. THIS PROGRAM AT GARDNER HAS BEEN SO SUCCESSFUL AND WELL RECEIVED THAT IT BECAME THE MODEL FOR SIMILAR PROGRAMS AT THE OTHER THREE MIDDLE SCHOOLS IN LANSING. THE STUDENTS ACCEPTED THE CONGRATULATIONS AND THANKS OF CITY COUNCIL AND MAYOR HOLLISTER.

COUNCILMEMBER JONES INVITED EVERYONE TO ATTEND THE PANCAKE BREAKFAST TO BE HELD AT THE CITY MARKET THIS SATURDAY FROM 8:00 A.M. TO 12:00 P.M. THERE WILL BE A SPECIAL PERFORMANCE BY PIANIST MOLLY BACON.

MAYOR HOLLISTER ANNOUNCED THE OPENING OF THE WASHINGTON PARK ICE DOME ON FRIDAY, FEBRUARY 14, 1997. THE RINK WILL BE OPEN TO THE PUBLIC.

**PUBLIC AND MAYOR'S COMMENTS  
ON LEGISLATIVE MATTERS**

A. PUBLIC HEARINGS

1. SLU-09-96; 925 STANLEY ST., CELLULAR TOWER ON PARK LAND

KAREN GIERMAN OF 3019 INGHAM ST. OBJECTED TO THE PROLIFERATION OF POWER TOWERS THAT HAS SPRUNG UP IN LANSING. IT IS RUINING THE SKYLINE OF THE CITY. COUNCIL MUST IMPOSE LIMITS ON THE ERECTION OF THESE TOWERS. SHE REQUESTED THAT COUNCILMEMBERS CONSIDER IMPOSING A MORATORIUM ON THE CONSTRUCTION OF NEW TOWERS WITHIN THE CITY.

JIM KEEFER, NO ADDRESS GIVEN, SAID THAT HE IS AN

ATTORNEY REPRESENTING LANSING CELLULAR TELEPHONE COMPANY, AN AFFILIATE OF AIR TOUCH CELLULAR, THE PETITIONER IN THIS CASE. THIS PETITION HAS BEEN APPROVED BY BOTH THE PLANNING BOARD AND THE ZONING BOARD AND THEY REQUEST COUNCIL'S CONFIRMATION.

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN OPPOSITION TO THIS SPECIAL LAND USE PETITION, IF THE CELLULAR TOWER IS TO BE PLACED IN A PARK AREA. HE DOES NOT BELIEVE THAT PRIVATE ENTERPRISE SHOULD BE ALLOWED TO CONSTRUCT CELLULAR TOWERS IN PARKS. HE CRITICIZED COUNCILMEMBERS FOR NOT HAVING THE APPROPRIATE INFORMATION ABOUT THESE MATTERS TO ADDRESS THE QUESTIONS RAISED BY RESIDENTS AT PUBLIC HEARINGS.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. SLU-10-96, 510 W. WILLOW ST., RESIDENTIAL CARE FACILITY

FRANK BLAKE OF 5310 W. WILLOW, DIRECTOR OF MARKETING AND COMMUNITY RELATIONS AT "DIRECTIONS OF LIFE" SPOKE IN SUPPORT OF THIS REQUEST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. ORDINANCE REPEALING ORDINANCE #925, STORMWATER ENTERPRISE FUND

THE FOLLOWING PEOPLE APPEARED AND SPOKE IN SUPPORT OF THE REPEAL OF THIS ORDINANCE:

- KAREN GIERMAN OF 3019 INGHAM ST.
- ARTHUR HUNAUPT 400 E. EVERETDALE AVE.
- ALVIN BULLARD 1814 REX ST.
- HELEN FISER 12100 S. CORK, MORRICE
- RICHARD FISER 12100 S. CORK, MORRICE
- KAY CARTER 402 CARRIER
- JERRY ERZEN 935 BENSCH
- DOLORES KRAMER 2806 FOREST RD.
- CONNIE DELANEY 3721 AURELIUS RD.
- JOHN CAMONILE 4902 TRESSA DR.
- JAN KOLP 2828 FOREST RD.
- GERALD JIM HUCKABA 5410 S. WAVERLY
- LLOYD TEETS 116 E. ELM ST.
- STEPHANIE WHITBECK 620 W. IONIA
- WILLIAM WHITBECK 620 W. IONIA
- THOMAS HERNLY 3425 PALMER ST.
- STEVEN JOHN BURMA 1539 SPENCER
- DENISE ACKER 410 CARRIER
- DENNIS TRUDELL, JR. 644 RIDGEWOOD AVE.
- STEVE GARRISON 932 W. MILLER
- KENNETH RIEBOW 2018 PLEASANT VIEW AVE.
- ALEXANDER BOLT 1230 REO RD.
- TOM LAFFERTY 1806 W. MICHIGAN
- WALTER RHODES 1427 MCINTYRE CRT.
- DARNELL E. OLDHAM, SR. 3815 BERWICK
- BEN WILLIAMS 2903 MANLEY DR.
- REV. ANDREW BRODIE 1114 GLENN
- LEN STUTTMAN 2331 ROBERT RD.

- PATRICK ANDERSON 416 W. IONIA
- L.T. MATTHEWS 1513 WINDSOR
- COUNCILMEMBER RICK LILLY

AND THE FOLLOWING PEOPLE APPEARED AND SPOKE IN OPPOSITION TO THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

- GREG SEWELL 6326 W. COLUMBIA RD., MASON
- DAVID HOLLISTER 1933 BYRNES
- LENORA JADUN, PUBLIC SERVICE DIRECTOR
- CHAD GAMBLE 1145 WESTBURY
- DOUG RUBLEY 1881 GERMANY RD., WILLIAMSTON
- BOB SWANSON 1745 CHESTER
- RITA KLINE 3318 GLENBROOK
- DONALD STYPULA 2318 TULANE
- GRETCHEN COUROUD 1881 RICHWOOD
- JIM ECKLAND 5945 WESTMINSTER, MERIDIAN TWP.
- JACK DAVIS 232 S. CAPITOL
- LARRY KRUTH 409 W. GIER
- CARL KOENIGSCHNECHT 920 TOWNSEND
- RICK OBERLE 1206 DOWNER
- COUNCILMEMBER PAUL NOVAK

ADDITIONALLY, THE FOLLOWING LETTERS WERE RECEIVED REGARDING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE AND TOGETHER WITH THE PUBLIC HEARING INFORMATION THEY WERE REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

1. FROM THE DOWNTOWN NEIGHBORHOOD ASSOCIATION SUPPORTING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

2. FROM FAITH UNITED METHODIST CHURCH IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

3. FROM THE EYDE COMPANY IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

4. FROM GENERAL MOTORS OPPOSING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

COUNCIL PRESIDENT BEAL RECESSED THIS MEETING OF THE LANSING CITY COUNCIL AT 9:25 P.M. AND RECONVENED THE MEETING AT 9:30 P.M.

B. LEGISLATIVE MATTERS (INCLUDING RESOLUTIONS, ORDINANCES FOR INTRODUCTION AND ORDINANCES FOR PASSAGE)

LLOYD TEETS OF 116 E. ELM ST. OBJECTED TO THE LACK OF INFORMATION AVAILABLE ABOUT THE TRANSFER OF FUNDS FOR THE SEWER SYSTEM. HE STATED HIS SUPPORT FOR THE RESOLUTION REGARDING THE RETENTION OF AN OUTSIDE AUDITOR TO AUDIT FIRE DEPARTMENT TRAINING FUNDS.

ANNE SMILEY OF 423 W. GRAND RIVER THANKED CITY COUNCIL AND THE ADMINISTRATION FOR THE

COOPERATIVE SPIRIT THAT HAS EXISTED ON THE DISTRICT LIBRARY COMMISSION.

### COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

#### RESOLUTIONS

##### RESOLUTION #041

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, LOAVES AND FISHES HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE; AND

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES LOAVES AND FISHES AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

##### RESOLUTION #042

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

#### SECOND HAND DEALER'S LICENSE

RICHARD GEORGE ALLISON, JR., DBA PARKER JEWELRY, 111 S. WASHINGTON SQ.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

THIS RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER BENAVIDES AND REFERRED BACK TO THE COMMITTEE ON GENERAL SERVICES

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF LANSING CENTER COSTS FROM THE MAYOR'S OFFICE ON BEHALF OF THE LANSING FUND FOR A WINTER BASEBALL GALA, HELD JANUARY 29, 1997, WITH PROCEEDS BENEFITTING THE LUGNUTS CHARITIES; AND

WHEREAS, NO ADMISSION WAS CHARGED TO THIS OPEN EVENT, BUT FUNDS WERE RAISED BY MEANS OF A \$75-PER-PERSON DONATION; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS IN THE AMOUNT OF \$642.50 BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$642.50 TO ACCOUNT #101173901-741200-0 FOR LANSING CENTER COSTS OF A WINTER BASEBALL GALA, HELD JANUARY 29, 1997.

##### RESOLUTION #043

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR COMMUNITY PROMOTION FUNDS FROM THE MAYOR'S OFFICE ON BEHALF OF THE FRIENDS OF TURNER-DODGE HOUSE FOR A FUND-RAISING EVENT AT RIVERFRONT PARK, TO BE HELD MAY 12-17, 1997, WITH PROCEEDS BENEFITTING THE TURNER-DODGE HOUSE RESTORATION PROJECT; AND.

WHEREAS, DUE TO THE NATURE OF THE REQUEST, THE COMMITTEE RECOMMENDS WAIVER OF THE POLICY AGAINST FINANCIAL SUPPORT OF COMMUNITY EVENTS FOR WHICH AN ADMISSION FEE IS CHARGED; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS IN THE AMOUNT OF \$850.00 BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$850.00 TO ACCOUNT #101173901-741289-0 (COMMUNITY PROMOTIONS) FOR THE FRIENDS OF TURNER-DODGE HOUSE FUND-RAISING EVENT AT RIVERFRONT PARK, TO BE HELD MAY 12-17, 1997, WITH PROCEEDS BENEFITTING THE TURNER-DODGE HOUSE RESTORATION PROJECT.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

##### RESOLUTION #044

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING POLICE DEPARTMENT

HAS APPLIED FOR AND RECEIVED A GRANT THROUGH THE AUTO THEFT PREVENTION AUTHORITY, REPLACING THE PREVIOUS SUB-CONTRACTUAL AGREEMENT WITH INGHAM COUNTY TO PROVIDE A "TEAM" APPROACH TO AUTO THEFT INVESTIGATIONS; AND

WHEREAS, THE AMOUNT AVAILABLE, WHEN COMBINED WITH GRANT MATCHING FUNDS TOTALING \$24,414 (300/0), WILL BE SUFFICIENT TO OFFSET THE SALARY AND FRINGE BENEFIT COSTS FOR ONE (1) DETECTIVE II POSITION AT CONTRACTUAL SALARY AND FRINGE RATES, AND LEASE ONE VEHICLE FOR THE YEAR; AND

WHEREAS, THE MAYOR HAS RECOMMENDED ACCEPTANCE OF THIS GRANT;

NOW, THEREFORE, BE IT RESOLVED, THE LANSING CITY COUNCIL APPROVES ACCEPTANCE OF THE AUTO THEFT PREVENTION GRANT IN THE TOTAL AMOUNT OF \$76,073 FOR CALENDAR YEAR 1997 TO FUND ONE DETECTIVE IIB POSITION, AND

FURTHER, THAT THE CITY WILL PROVIDE SUPPLEMENTAL AND MATCHING FUNDS IN THE AMOUNT OF \$24,414 FOR THE BALANCE OF THE PROJECTED COSTS FOR THIS POSITION FOR THE GRANT PERIOD, TO BE DRAWN FROM THE CURRENT BALANCE IN STATE & FEDERAL FUNDS OPERATING TRANSFER GRANT MATCHING FUNDS ACCOUNT; AND

FURTHER, THAT THE ADMINISTRATION IS HEREBY AUTHORIZED TO MAKE THE NECESSARY OPE RATING TRANSFER FROM THE STATE & FEDERAL PROGRAMS OPERATING TRANSFER MATCHING FUNDS ACCOUNT FOR POLICE GRANTS (A/C 101-966000-991273-00032), AND TO CREATE APPROPRIATE ACCOUNTS WITHIN THE FEDERAL AND STATE PROGRAMS FUND FOR THE EXPENDITURE AND CONTROL OF THE BALANCE OF THE GRANT FUNDS; AND

BE IT FINALLY RESOLVED, THAT AUTHORITY FOR THIS POSITION WITHIN THE POLICE DEPARTMENT TABLE OF ORGANIZATION SHALL TERMINATE UPON EXPIRATION OF THIS GRANT.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #045

BY THE COMMITTEE ON WAYS & MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MICHIGAN WILDLIFE HABITAT FOUNDATION HAS EMBARKED ON A FUND RAISING CAMPAIGN TO BUILD THE BENDEL WILDLIFE CENTER ON PROPERTY THAT WAS DONATED TO THE CITY OF LANSING BY ANGEL PRIGGOORIS AND SOLD TO THE MICHIGAN WILDLIFE HABITAT FOUNDATION; AND

WHEREAS, THE FOUNDATION WOULD LIKE TO NAME THE LAKE AT THE CENTER AFTER ANGEL PRIGGOORIS IN RETURN FOR A \$100,000 GIFT FROM THE CITY OF

LANSING FROM THE PROCEEDS FROM THE SALE OF PRIGGOORIS PARK PROPERTY TO THE MICHIGAN WILDLIFE HABITAT FOUNDATION; AND

WHEREAS, THE PARK BOARD REVIEWED THIS PROPOSAL AT THEIR JANUARY 15, 1997, MEETING, APPROVED THE CONCEPT, REQUESTED THAT THE FAMILY OF ANGEL PRIGGOORIS BE CONSULTED AND RECOMMENDED THE MONIES DEPOSITED FROM LAND SALES PROCEEDS BE CREDITED WITH AVERAGE INTEREST FROM THE DATE THE MONEY WAS DEPOSITED; AND

WHEREAS, THE INTEREST EARNINGS ON UNEXPENDED FUNDS ARE NOT SUFFICIENT TO COVER THE \$100,000 REQUEST.

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL RESERVES \$100,000 OF PRIGGOORIS PARK SALE PROCEEDS FOR THE MICHIGAN WILDLIFE HABITAT FOUNDATION; AND

BE IT FURTHER RESOLVED, THE BALANCE OF THE PRIGGOORIS PARK SALE PROCEEDS PLUS INTEREST EARNINGS ACCRUING FROM THE DATE SALE PROCEEDS WERE RECEIVED ARE RESERVED FOR THE SOUTH SIDE COMMUNITY CENTER; AND

BE IT FURTHER RESOLVED, THE DIRECTOR OF PARKS AND RECREATION AGREES TO CONTACT THE FAMILY OF ANGEL PRIGGOORIS TO SOLICIT APPROVAL OF THE EXPENDITURE OF THESE FUNDS AS REFERENCED ABOVE WITH THE FAMILY BEING REQUESTED TO RESPOND WITHIN 30 DAYS OF RECEIPT OF THE PROPOSALS; AND

BE IT FINALLY RESOLVED, THAT THE ADMINISTRATION SHALL APPROPRIATE THESE FUNDS FOR THE ABOVE REFERENCED PURPOSES UPON APPROVAL BY THE PRIGGOORIS FAMILY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #046

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON APRIL 3, 1995 THE CITY COUNCIL APPROVED RESOLUTION #241 TO ADOPT THE CITY OF LANSING FIVE YEAR RECREATION PLAN FOR 1995 THROUGH 2000; AND

WHEREAS, THE RIVER TRAIL EXTENSION IS INCLUDED IN THE FIVE YEAR PARKS AND RECREATION MASTER PLAN AND, THEREFORE, ELIGIBLE FOR GRANT FUNDS FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES; AND

WHEREAS, IN RESOLUTION #21 OF JANUARY 17, 1995, THE COUNCIL APPROVED RELOCATION ISTEAL GRANT FUNDS TO THE WESTWARD EXTENSION OF THE RIVER TRAIL TOWARD MOORES PARK; AND

WHEREAS, ADDITIONAL FUNDS ARE NECESSARY FOR THE CONSTRUCTION OF THE RIVER TRAIL FROM ELM STREET TO MOORES PARK; AND

WHEREAS, THE PARK BOARD ON JANUARY 15, 1997 RECOMMENDED MAKING A MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION IN THE AMOUNT OF \$500,000 WITH A LOCAL MATCH OF \$271,000 FROM A LEVY OF ONE MILL FOR FIVE YEARS THAT COMMENCED ON JULY 1, 1996 ON ALL TAXABLE REAL PROPERTY IN THE CITY OF LANSING FOR THE PURPOSE OF OPERATING THE CITY'S PARKS, ZOO AND RECREATION SYSTEM.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY AUTHORIZES THE MAYOR TO SUBMIT A GRANT APPLICATION TO THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR THE RIVER TRAIL FROM ELM STREET TO MOORES PARK; AND

BE IT FURTHER RESOLVED THAT IF THE GRANT MONIES ARE AWARDED, THE ADMINISTRATION IS AUTHORIZED TO ACCEPT THE GRANT, ESTABLISH THE APPROPRIATE ACCOUNTS AND TO TRANSFER THE FUNDS.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #047

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-21-96 RIVERFRONT PROPERTIES,  
ACQUISITION FOR RIVERTRAIL DEVELOPMENT

WHEREAS THE PARKS BOARD ON JULY 17, 1996 RECOMMENDED ACQUISITION OF A CERTAIN PARCEL LOCATED IN THE 1500 BLOCK OF ROOSEVELT AVENUE, LANSING, MICHIGAN; AND

WHEREAS, SUFFICIENT FUNDS FOR PURCHASE EXIST IN THE PARK ACQUISITION AND DEVELOPMENT ACCOUNT; AND

WHEREAS, THE PLANNING BOARD CONDUCTED AN ACT 285 REVIEW (ACT-21-96) OF THE PROPOSAL, AND FOUND, BASED UPON TESTIMONY AND EVIDENCE ON THE LOCATION, CHARACTER AND EXTENT OF THIS PROPOSAL, THAT (1) NO IMMEDIATE PRIVATE USE OF THE PARCEL IS ANTICIPATED, AND (2) THE ACQUISITION OF THIS PARCEL FOR FUTURE RIVERTRAIL IMPROVEMENTS IS IN THE PUBLIC INTEREST AND WELL WITHIN THE ESTABLISHED POLICIES OF THE CITY; AND

WHEREAS, THE PLANNING BOARD RECOMMENDED APPROVAL OF THE REQUEST TO ACQUIRE THE PROPERTY FOR FUTURE RIVERTRAIL DEVELOPMENT, CONTINGENT UPON OBTAINING ENVIRONMENTAL CLEARANCES AND APPRAISALS AS NEEDED, AND ACCEPTABLE TITLE; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND

PLANNING HAS REVIEWED THE REPORT AND RECOMMENDATION OF THE PLANNING BOARD AND CONCURS THEREWITH;

NOW, THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY AUTHORIZES THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS FOR THE PURCHASE OF THE REAL PROPERTY COMMONLY KNOWN AS 1556 ROOSEVELT AVENUE, LANSING, MICHIGAN (PPN 3301-08-229031), AND MORE PARTICULARLY DESCRIBED AS LOTS 171 AND 172, KNOLLWOOD PARK SUBDIVISION, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, SUBJECT TO FINAL CITY COUNCIL APPROVAL.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #048

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, FRED C. LOVEJOY, ON BEHALF OF RITE AID OF MICHIGAN, INC., HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF A 1995 SDD LICENSE, WITH SUNDAY SALES PERMIT, (IN ESCROW) FROM MOONEY OIL CORP., AND TO TRANSFER LOCATION FROM 2840 EAST SAGINAW STREET, TO 1019 WEST SAGINAW STREET, TO BE HELD IN CONJUNCTION WITH AN EXISTING 1996 SDM LICENSED BUSINESS; AND

WHEREAS, SEVERAL RESIDENTS HAVE WRITTEN TO THE CITY AND TO THE MICHIGAN LIQUOR CONTROL COMMISSION REQUESTING DENIAL OF THE REQUEST FOR SEVERAL REASONS, INCLUDING THE LARGE NUMBER OF LICENSED BUSINESSES IN THE IMMEDIATE AREA, AND PROXIMITY TO CHURCHES; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE COUNCIL EXPRESS OPPOSITION TO THE PROPOSED TRANSFER;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY ADOPTS THE RECOMMENDATION FROM THE COMMITTEE ON GENERAL SERVICES TO OPPOSE THE REQUEST FROM RITE AID OF MICHIGAN, INC., TO TRANSFER OWNERSHIP OF A 1995 SDD LICENSE, WITH SUNDAY SALES PERMIT, (IN ESCROW) FROM MOONEY OIL CORP., AND TO TRANSFER LOCATION FROM 2840 EAST SAGINAW STREET, TO 1019 WEST SAGINAW STREET, TO BE HELD IN CONJUNCTION WITH AN EXISTING 1996 SDM LICENSED BUSINESS; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS REQUESTED TO FORWARD A COPY OF THIS RESOLUTION TO THE MICHIGAN LIQUOR CONTROL COMMISSION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY



**THE MOTION FOR PASSAGE OF THIS RESOLUTION  
WAS DEFEATED**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
HAS REVIEWED APPEALS FOR RELIEF FROM THE 1996  
STORMWATER FEE FILED BY SEVERAL RESIDENTS; AND

WHEREAS, THE COMMITTEE RECOMMENDS THAT THE  
APPEALS BE GRANTED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING  
CITY COUNCIL HEREBY APPROVES THE  
RECOMMENDATION OF THE COMMITTEE ON GENERAL  
SERVICES THAT THE FOLLOWING STORMWATER FEE  
APPEALS BE GRANTED:

RONALD AND CAROL JONES  
2818 STOCKMAN ST., PARCEL  
#3301-05-330-101-8

REX HELMS  
6212 KENBROOK RD., PARCEL  
#3305-07-229-102-4

REX HELMS  
0000 KENBROOK RD., PARCEL  
#3305-07-228-101-0

FRANCES HUNAULT  
WAYNE ST., PARCEL  
#3301-35-352-001-2

AND BE IT FURTHER RESOLVED THE CLERK IS  
REQUESTED TO FORWARD THIS RESOLUTION TO THE  
MAYOR FOR ACTION.

BY COUNCILMEMBER BENAVIDES

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY  
COUNCILMEMBER NOVAK TO AMEND THE RESOLUTION BY  
ADDING "AND THAT THE FOLLOWING PROPERTY  
OWNERS STORMWATER FEE BE ELIMINATED, UNTIL  
SUCH TIME AS THE AFFECTED PROPERTIES ARE  
DETERMINED BY THE PUBLIC SERVICES DIRECTOR  
TO RECEIVE STORMWATER SERVICES" FOLLOWING  
THE WORD "GRANTED" IN THE THIRD PARAGRAPH, AND  
TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION  
AS AMENDED

BY COUNCILMEMBER BENAVIDES

TO CALL THE QUESTION OF APPROVAL OF THE AMENDED  
RESOLUTION TO A VOTE

CARRIED UNANIMOUSLY

THE MOTION FOR ADOPTION OF THE RESOLUTION  
FAILED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES,  
LILLY

**RESOLUTION #049**  
BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
RESOLUTION APPROVING A  
DISTRICT LIBRARY AGREEMENT  
WITH THE COUNTY OF INGHAM

WHEREAS, THE CITY OF LANSING HAS STUDIED  
VARIOUS OPTIONS FOR ASSURING THAT ADEQUATE  
LIBRARY SERVICES WILL BE PROVIDED TO THE  
RESIDENTS OF THE CITY; AND

WHEREAS, THE CITY OF LANSING, IN COOPERATION  
WITH THE COUNTY OF INGHAM AND THE LANSING  
SCHOOL DISTRICT, CONTRACTED WITH PLANTE AND  
MORAN TO CONDUCT A REVIEW OF LIBRARY NEEDS IN  
THE CITY AND COUNTY, EXCLUSIVE OF EAST LANSING  
WHICH HAS ITS OWN LIBRARY SYSTEM; AND

WHEREAS, THE RECOMMENDATIONS OF THE PLANTE  
AND MORAN LIBRARY REVIEW HAVE BEEN REVIEWED,  
INCLUDING THE RECOMMENDATION TO FORM A DISTRICT  
LIBRARY WITH INGHAM COUNTY AND THE CITY OF  
LANSING; AND

WHEREAS, ON JANUARY 21, 1997 RESOLUTION NO.  
14 WAS ADOPTED BY THE CITY COUNCIL OF THE CITY  
OF LANSING, (RESOLUTION OF INTENT TO PARTICIPATE  
IN A DISTRICT LIBRARY WITH THE COUNTY OF INGHAM)  
AND INSTRUCTED THAT AN AGREEMENT BE DRAFTED FOR  
THEIR CONSIDERATION; AND

WHEREAS, THE PROPOSED AGREEMENT HAS BEEN  
REVIEWED.

NOW, THEREFORE, BE IT RESOLVED, THAT THE  
LANSING CITY COUNCIL HEREBY APPROVES THE  
PROPOSED AGREEMENT TO PARTICIPATE WITH THE  
COUNTY OF INGHAM IN A DISTRICT LIBRARY PURSUANT  
TO 1989 PA 24, WHICH INCLUDES THE TERRITORIES  
OF THE CITY OF LANSING AND INGHAM COUNTY,  
EXCLUDING THE CITY OF EAST LANSING AND  
POTENTIALLY EXCLUDING OTHER MUNICIPALITIES AS  
PROVIDED IN THE AGREEMENT;

BE IT FURTHER RESOLVED, THAT THE CITY OF  
LANSING EXPRESSES ITS DESIRE AND INTENT TO THE  
NEW DISTRICT BOARD THAT A VOTE ON THE FINANCING  
OF THE DISTRICT LIBRARY OCCUR AT THE AUGUST  
1997 PRIMARY ELECTION; THAT SUCH PROPOSED  
MILLAGE BE INITIALLY OF LIMITED DURATION IN ORDER  
TO ALLOW MUNICIPALITIES WITHIN THE COUNTY TO  
IMPLEMENT OTHER OPTIONS FOR THE PROVISION OF  
LIBRARY SERVICES WITHIN THEIR JURISDICTION, IF  
INTERESTED; THAT THE MILLAGE BE SUFFICIENT TO PAY  
FOR THE FACILITY RELATED COSTS OF BRANCHES WHICH  
ARE CURRENTLY PAID FOR BY INDIVIDUAL  
MUNICIPALITIES; AND THAT THE MILLAGE PROVIDE FOR  
SOME EXPANSION OF SERVICES, INCLUDING A THIRD

BRANCH IN LANSING;

BE IT FURTHER RESOLVED, THAT THE CITY'S APPROVAL OF THIS AGREEMENT IS CONTINGENT UPON A FORMAL COMMITMENT BY THE LANSING SCHOOL DISTRICT THAT THE SCHOOL DISTRICT WILL OFFER TO CONTINUE TO PROVIDE AND FUND LIBRARY SERVICES TO THE NEW DISTRICT THROUGH DECEMBER 31, 1997, AND WILL ALSO OFFER TO ALLOW THE CONTINUED USE OF THE CURRENT LIBRARY FACILITY AND LIBRARY COLLECTION BY THE NEW DISTRICT IF DESIRED;

BE IT FURTHER RESOLVED, THAT IN CONNECTION WITH THE APPROVAL OF THIS AGREEMENT THE CITY COUNCIL EXPRESSES ITS INTENT TO CONTINUE TO PROVIDE REASONABLE LIBRARY SPACE AT THE FOSTER COMMUNITY CENTER SHOULD A NEW DISTRICT LIBRARY BE FORMED;

BE IT FURTHER RESOLVED, THAT THE MAYOR AND CITY CLERK ARE AUTHORIZED TO SIGN THE PROPOSED AGREEMENT, SUBJECT TO ANY REVISIONS RECOMMENDED BY THE CITY ATTORNEY AND FINANCE DIRECTOR AS NECESSARY TO OBTAIN THE APPROVAL OF THE STATE LIBRARIAN.

BE IT FURTHER RESOLVED THAT THE MAYOR AND CITY CLERK ARE ALSO AUTHORIZED TO SIGN AN AGREEMENT BETWEEN THE COUNTY OF INGHAM, THE CITY OF LANSING, AND THE LANSING SCHOOL DISTRICT AS RECOMMENDED BY THE CITY ATTORNEY AND CITY FINANCE DIRECTOR AS NECESSARY TO ASSURE THE LANSING SCHOOL DISTRICT'S COMMITMENT TO OFFER TO PROVIDE SERVICES, FUNDING, FACILITIES, AND MATERIALS AS STATED IN THIS RESOLUTION.

BE IT FURTHER RESOLVED, THAT THE CITY CLERK IS DIRECTED TO SEND COPIES OF THIS RESOLUTION TO THE LANSING SCHOOL DISTRICT, AND ALL UNITS OF MUNICIPAL GOVERNMENT WITHIN INGHAM COUNTY.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

RESOLUTION #050  
BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
CITY OF LANSING  
COUNTIES OF INGHAM AND EATON, STATE OF  
MICHIGAN

RESOLUTION AMENDING THE  
ARTICLES OF INCORPORATION OF THE  
LANSING ENTERTAINMENT  
AND PUBLIC FACILITIES AUTHORITY

WHEREAS, THE CITY COUNCIL (THE "COUNCIL") OF THE CITY OF LANSING, COUNTIES OF INGHAM AND EATON, STATE OF MICHIGAN (THE "CITY") HAS PREVIOUSLY INCORPORATED THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY (THE "AUTHORITY") PURSUANT TO THE PROVISIONS OF ACT 31, PUBLIC ACTS OF MICHIGAN, 1948 (FIRST EXTRA SESSION), AS AMENDED ("ACT 31") AND HAS ADOPTED

ARTICLES OF INCORPORATION OF THE AUTHORITY; AND

WHEREAS, THE CITY COUNCIL DEEMS IT ADVISABLE AND IN THE BEST INTEREST OF THE CITY TO AMEND ARTICLE V, SECTION 1 OF THE ARTICLES OF INCORPORATION OF THE AUTHORITY IN ORDER TO PROVIDE FOR AN EXTENSION OF THE TERMS OF OFFICE OF THE COMMISSIONERS WHO SERVE ON THE AUTHORITY'S BOARD OF COMMISSIONERS.

NOW THEREFORE, BE IT RESOLVED THAT:

1. ARTICLE V, SECTION 1 OF THE ARTICLES OF INCORPORATION OF THE AUTHORITY IS HEREBY AMENDED TO READ IN ITS ENTIRETY AS SHOWN IN THE ATTACHED SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION.

2. THE SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY ARE HEREBY APPROVED AND ADOPTED. THE MAYOR AND CITY CLERK OF THE CITY ARE HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR AND ON BEHALF OF THE CITY.

3. THE CITY CLERK SHALL CAUSE A COPY OF THE SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY TO BE PUBLISHED ONCE IN THE *LANSING STATE JOURNAL*, BEING A NEWSPAPER CIRCULATED WITHIN THE CITY AS PROVIDED BY ACT 31, SUCH PUBLICATION TO BE ACCOMPANIED BY A NOTICE THAT VALID AMENDMENT OF THE ARTICLES OF INCORPORATION OF THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY SHALL BE CONCLUSIVELY PRESUMED UNLESS QUESTIONED IN A COURT OF COMPETENT JURISDICTION AS PROVIDED IN ACT 31.

4. THE CITY CLERK SHALL FILE A CERTIFIED COPY OF THE EXECUTED SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE AUTHORITY WITH THE COUNTY CLERK OF THE COUNTY OF INGHAM, THE COUNTY CLERK OF THE COUNTY OF EATON, AND THE SECRETARY OF STATE OF THE STATE OF MICHIGAN, TOGETHER WITH A CERTIFICATE STATING THE DATE AND NEWSPAPER OF PUBLICATION OF THE SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION. THE CITY CLERK IS HEREBY AUTHORIZED AND DIRECTED TO FILE THE ORIGINALLY EXECUTED SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION WITH THE RECORDING SECRETARY OF THE AUTHORITY, WHEN SELECTED, AND TO TAKE SUCH STEPS AS ARE NECESSARY UNDER THE PROVISIONS OF THE STATE LAW TO PERFECT THE AMENDMENT OF SAID ARTICLES.

5. ALL OTHER RESOLUTIONS AND PARTS OF

RESOLUTIONS INSOFAR AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME HEREBY ARE RESCINDED.

BY COUNCILMEMBER BAUER

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

BY COUNCILMEMBER LILLY

TO SEPARATE THE QUESTIONS CONTAINED IN THE RESOLUTION TO ALLOW FOR AN INDIVIDUAL VOTE ON THE QUESTION OF INCREASING THE MEMBERSHIP OF THE BOARD FROM 8 MEMBERS TO 9 MEMBERS.

CARRIED UNANIMOUSLY

THE QUESTION OF INCREASING THE MEMBERSHIP OF THE LEPPA FROM AN 8 MEMBER BOARD TO A 9 MEMBER BOARD WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY DISSENTING)

THE MOTION FOR PASSAGE OF THE REMAINING PORTIONS OF THE RESOLUTION WAS CARRIED UNANIMOUSLY

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND COMPLETE COPY OF A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANSING, COUNTIES OF INGHAM AND EATON, MICHIGAN, AT A REGULAR MEETING HELD ON MONDAY, FEBRUARY 10, 1997, AT 7:00 P.M., PREVAILING EASTERN TIME, AND THAT SAID MEETING WAS CONDUCTED AND PUBLIC NOTICE OF SAID MEETING WAS GIVEN PURSUANT TO AND IN FULL COMPLIANCE WITH THE OPEN MEETINGS ACT, BEING ACT 267, PUBLIC ACTS OF MICHIGAN, 1976, AND THAT THE MINUTES OF SAID MEETING WERE KEPT AND WILL BE OR HAVE BEEN MADE AVAILABLE AS REQUIRED BY SAID ACT 267.

IF THE ABOVE MEETING WAS A SPECIAL MEETING, I FURTHER CERTIFY THAT NOTICE OF SAID SPECIAL MEETING WAS GIVEN TO EACH MEMBER OF THE CITY COUNCIL IN ACCORDANCE WITH THE RULES OF PROCEDURE OF THE CITY COUNCIL.

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS WERE PRESENT AT SAID MEETING: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LILLY, NOVAK.

I FURTHER CERTIFY THAT COUNCILMEMBER BAUER MOVED FOR ADOPTION OF SAID RESOLUTION

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS VOTED FOR ADOPTION OF SAID RESOLUTION: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LILLY, NOVAK, AND THAT THE FOLLOWING MEMBERS VOTED AGAINST ADOPTION OF SAID RESOLUTION: NONE.

CITY CLERK

SECOND AMENDMENT TO THE  
ARTICLES OF INCORPORATION OF  
LANSING ENTERTAINMENT  
AND PUBLIC FACILITIES AUTHORITY

THE CITY OF LANSING ADOPTS THIS SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY PURSUANT TO THE PROVISIONS OF ACT 31, PUBLIC ACTS OF MICHIGAN, 1948 (FIRST EXTRA SESSION), AS AMENDED.

1. ARTICLE V, SECTION 1 OF THE ARTICLES OF INCORPORATION OF THE AUTHORITY IS HEREBY AMENDED TO READ IN ITS ENTIRETY AS FOLLOWS:

ARTICLE V

SECTION 1. THE AUTHORITY SHALL BE DIRECTED AND GOVERNED BY A BOARD OF COMMISSIONERS KNOWN AS THE "COMMISSION." THE COMMISSION SHALL CONTAIN TEN (10) VOTING COMMISSIONERS AND THREE (3) NON-VOTING EX OFFICIO COMMISSIONERS UNTIL DECEMBER 31, 1996, AND THEREAFTER THE COMMISSION SHALL CONTAIN NINE (9) VOTING COMMISSIONERS AND THREE (3) NON-VOTING EX OFFICIO COMMISSIONERS. THE MAYOR AND THE MEMBERS OF THE CITY COUNCIL SHALL NOT BE ELIGIBLE FOR MEMBERSHIP OR APPOINTMENT TO THE COMMISSION.

ONE OF THE INITIAL TEN VOTING COMMISSIONERS SHALL BE A VENDOR OF THE LANSING CITY MARKET AND SHALL BE APPOINTED BY THE MAYOR WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL, AND SHALL SERVE FOR A ONE YEAR TERM ENDING ON DECEMBER 31, 1996. EACH COMMISSIONER WHO IS APPOINTED TO SUCCEED THE VENDOR OF THE LANSING CITY MARKET SHALL BE A VENDOR OF THE LANSING CITY MARKET, AND SHALL SERVE FOR A ONE YEAR TERM BEGINNING ON JULY 1 FOLLOWING THE EXPIRATION OF THE TERM OF THE COMMISSIONER WHOM HE/SHE SUCCEEDS AND EXPIRING JUNE 30 OF THE FOLLOWING YEAR. IF ANY SUCH COMMISSIONER CEASES TO BE A VENDOR OF THE LANSING CITY MARKET DURING HIS/HER TERM, THEN HE/SHE SHALL CEASE TO SERVE AS A COMMISSIONER, AND THE MAYOR, WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL, SHALL APPOINT ANOTHER VENDOR OF THE LANSING CITY MARKET FOR THE REMAINDER OF THE TERM.

TWO OF THE INITIAL TEN VOTING COMMISSIONERS SHALL BE SELECTED FROM THE EXISTING BOARD OF THE EXHIBITION AUTHORITY AND SHALL BE APPOINTED BY THE MAYOR WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL. ONE COMMISSIONER SHALL SERVE FOR A TERM ENDING

DECEMBER 31, 1996, AND THE OTHER COMMISSIONER'S TERM SHALL EXPIRE ON JUNE 30, 1997. HOWEVER, THE TERMS OF ALL OTHER COMMISSIONERS, SCHEDULED TO EXPIRE ON DECEMBER 31, 1996, SHALL BE EXTENDED AUTOMATICALLY TO JUNE 30, 1997.

THE REMAINING SEVEN (7) VOTING COMMISSIONERS OF THE FIRST COMMISSION SHALL BE APPOINTED BY THE MAYOR WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL. THE TERMS OF THESE SEVEN (7) COMMISSIONERS SHALL BE AS FOLLOWS: TWO (2) COMMISSIONERS SHALL SERVE TERMS ENDING DECEMBER 31, 1996, TWO (2) COMMISSIONERS SHALL SERVE TERMS ENDING DECEMBER 31, 1997, AND THREE COMMISSIONERS SHALL SERVE TERMS ENDING DECEMBER 31, 1998. THE TERM OF ANY PERSON WHICH EXPIRES ON DECEMBER 31, 1996, SHALL BE EXTENDED UNTIL JUNE 30, 1997. THE TERM OF ANY PERSON WHICH EXPIRES ON DECEMBER 31, 1997, SHALL BE AUTOMATICALLY EXTENDED UNTIL JUNE 30, 1998. THE TERM OF ANY PERSON WHICH EXPIRES ON DECEMBER 31, 1998, SHALL BE EXTENDED AUTOMATICALLY UNTIL JUNE 30, 1999.

FOUR (4) VOTING COMMISSIONERS SHALL BE APPOINTED TO SUCCEED THE FOUR (4) VOTING COMMISSIONERS WHOSE TERMS END ON JUNE 30, 1997. THEREAFTER, A COMMISSIONER SHALL BE APPOINTED FOLLOWING THE EXPIRATION OF THE TERM OF EACH COMMISSIONER, IN ORDER THAT THE COMMISSION CONTAIN NINE (9) VOTING COMMISSIONERS AND THREE (3) NON-VOTING EX OFFICIO COMMISSIONERS BEGINNING JUNE 30, 1997. EACH SUCCEEDING COMMISSIONER, OTHER THAN THE COMMISSIONER APPOINTED TO SERVE AS VENDOR OF THE LANSING CITY MARKET, SHALL SERVE FOR A THREE (3) YEAR TERM BEGINNING ON JULY 1 FOLLOWING THE EXPIRATION OF THE TERM OF THE COMMISSIONER WHOM HE/SHE SUCCEEDS AND EXPIRING JUNE 30 OF THE LAST YEAR OF SUCH TERM. AFTER THE END OF THE TERMS OF THE COMMISSIONERS APPOINTED FOR TERMS ENDING DECEMBER 31, 1996, IT SHALL NO LONGER BE A REQUIREMENT THAT ANY COMMISSIONER BE A FORMER MEMBER OF THE BOARD OF THE EXHIBITION AUTHORITY.

THE FINANCE DIRECTOR OF THE CITY, THE INTERNAL AUDITOR OF THE CITY, AND THE DIRECTOR OF PLANNING AND NEIGHBORHOOD DEVELOPMENT OF THE CITY SHALL SERVE AS NON-VOTING EX OFFICIO COMMISSIONERS. THE TERMS OF THE EX OFFICIO COMMISSIONER SHALL CONTINUE AS LONG AS SUCH COMMISSIONER HOLDS OFFICE AS FINANCE DIRECTOR, INTERNAL AUDITOR, OR DIRECTOR OF PLANNING AND NEIGHBORHOOD DEVELOPMENT OF THE CITY. IN

THE EVENT OF A VACANCY IN ONE OF SAID OFFICES, THE PERSON FULFILLING THE DUTIES OF SAID OFFICE ON AN INTERIM BASIS SHALL SERVE ON THE COMMISSION.

2. THE CITY CLERK OF THE CITY SHALL CAUSE A COPY OF THIS SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION OR A SUMMARY THEREOF TO BE PUBLISHED ONCE IN THE *LANSING STATE JOURNAL*, BEING A NEWSPAPER CIRCULATED WITHIN THE CITY AS PROVIDED IN ACT 31, SUCH PUBLICATION TO BE ACCOMPANIED BY A NOTICE THAT VALID AMENDMENT OF THE ARTICLES OF INCORPORATION OF THE AUTHORITY SHALL BE CONCLUSIVELY PRESUMED UNLESS QUESTIONED IN A COURT OF COMPETENT JURISDICTION AS PROVIDED IN ACT 31.

3. THE CITY CLERK OF THE CITY SHALL FILE A CERTIFIED COPY OF THIS SECOND AMENDMENT TO ARTICLES OF INCORPORATION WITH THE INGHAM COUNTY CLERK, THE EATON COUNTY CLERK, AND THE MICHIGAN SECRETARY OF STATE, TOGETHER WITH A CERTIFICATE OF THE DATE AND NEWSPAPER OF PUBLICATION, AS REQUIRED BY ACT 31.

4. THIS SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION SHALL BECOME EFFECTIVE AND BE IN FULL FORCE AND EFFECT AS PROVIDED IN SECTION 6 OF ACT 31 TEN (10) DAYS AFTER THEIR ADOPTION BY CITY COUNCIL.

IN WITNESS WHEREOF, THE CITY OF LANSING, MICHIGAN HAS ADOPTED AND AUTHORIZED TO BE EXECUTED THIS SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION ON BEHALF OF THE CITY, A MUNICIPAL CORPORATION OF THE STATE OF MICHIGAN, BY ITS MAYOR AND CITY CLERK.

CITY OF LANSING

BY: \_\_\_\_\_  
MAYOR

BY: \_\_\_\_\_  
CITY CLERK

THE FOREGOING SECOND AMENDMENT TO THE ARTICLES OF INCORPORATION WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANSING, COUNTIES OF INGHAM AND EATON, MICHIGAN AT A MEETING DULY HELD ON THE 10TH DAY OF FEBRUARY, 1997, AND WILL BE FILED BY THE CITY CLERK WITH THE INGHAM COUNTY CLERK, THE EATON COUNTY CLERK, AND THE MICHIGAN SECRETARY OF STATE.

DATED: FEBRUARY 13, 1997.

CITY CLERK, CITY OF LANSING, MICHIGAN

RESOLUTION #051

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$102,880	GEN FUND-FUND BALANCE 101-0-390001-0	
\$ 57,000	GEN FUND-EST REV 101-0-170001-0	
\$159,880		PUBLIC SERV-CTRL 101-453603-992200-0
\$159,880	PUBLIC SERV-CTRL 101-453603-992200-0	
		WINTER MAINTENANCE 101-453632-700000-0

(FUNDING FOR AN ESTIMATED ADDITIONAL TWO FULL FLOWINGS. ADDITIONAL FUNDING NEEDED DUE TO HIGHER THAN AVERAGE SNOWFALL AND ICING DURING THE CURRENT YEAR. ANY RESIDUAL FUNDING FROM THIS APPROPRIATION MAY ONLY BE USED FOR STREET MAINTENANCE STREET CONSTRUCTION ACTIVITIES. REVENUE DETAIL ACCOUNT 101-0696273-0, OPERATING TRANSFERS FROM STATE AND FEDERAL PROGRAMS. THIS RESULTS FROM RESIDUAL CITY MATCH UPON CLOSE OUT OF STATE AND FEDERAL ROAD PROJECTS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$251	GEN FUND-EST REV 101-0-170001-0	FIRE DEPT-CTRL 101-343501-992200-0
\$251	FIRE DEPT-CTRL 101-342501-992200-0	DONATIONS 101-343501-741880-0

DONATIONS FROM RESIDENT GOVERNING COUNCIL OF FRIENDSHIP MANOR AND CAROL SCHULL P.C.A.. REVENUE DETAIL ACCOUNT 101-0-675000-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$994,000	SEWAGE FUND-RETAINED EARNINGS 590-0-395001- 0	
\$94,000		OPER TRANS-594 FUND 590-453670-991594-0
\$994,000	1994 SEWER BONDS-EST REV 594-0-170001-0	
\$530,000	ALTERNATIVE DISINFECTION 594-453670-973000- 23802	
\$1,524,000		SEWERS (FINAL TANKS) 594- 453670-973000-23804

(ADDITIONAL FUNDING TO MEET BID PRICES FOR FINAL

TANK CONSTRUCTION, REVENUE DETAIL ACCOUNT 594-0696590.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$49,000	INFRASTRUCTURE-PUBLIC SAFETY DEBT 410- 933690-991101-43829	INFRASTRUCTURE-LPD RANGE IMPROVEMENTS 410- 933290-975000-43837

(NEEDED MODIFICATIONS TO LPD FIRING RANGE WILL REQUIRE DEVELOPMENT OF AN ARCHITECTURAL PROPOSAL AND TOWNSHIP APPROVAL PRIOR TO CONSTRUCTION. REFLECTS COSTS OF ARCHITECTURAL DESIGN AND FIREARMS EXPERT CONSULTATION, INCLUDING TRAVEL EXPENSES.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$230,000	INFRASTRUCTURE-PUBLIC SAFETY DEBT 410- 933690-991101-43829	INFRASTRUCTURE-FACILITIES STUDY 410-933690- 743707-43836

(STUDY TO DETERMINE CONDITION, USE, AND NEED FOR ALL CITY BUILDINGS. EXPENDITURE OF FUNDS FOR WASHINGTON SQUARE ANNEX BUILDING TO BE REVIEWED BY CITY COUNCIL PRIOR TO EXPENDITURE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$200	EST REV-DONATIONS 101-0-170001-0	POLICE DEPT- CTRL 101-342201-992200-0
\$200	POLICE DEPT -CTRL 101-343201-992200-0	POLICE ADMIN.-DONATIONS 101-343201-741880-0

(DONATION FROM MOUNT VERNON RESIDENTS COUNCIL FOR COMMUNITY POLICING. REVENUE DETAIL ACCOUNT 101-0-675000-0.)

BY COUNCILMEMBER JONES

TO AMEND THE RESOLUTION BY STRIKING THE WORDS "STREET MAINTENANCE" FROM THE EXPLANATORY PARAGRAPH OF THE \$159,880 TRANSFER FOR WINTER MAINTENANCE AND REPLACE THEM WITH THE WORDS "STREET CONSTRUCTION", AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

#### RESOLUTION #052

BY THE COMMITTEE OF WAYS & MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE CITY COUNCIL ON JANUARY 13, 1997, THIS COUNCIL APPROVED RESOLUTION NO. 3 AUTHORIZING PEAT MARWICK, THE CITY'S REGULAR OUTSIDE AUDITORS, TO PERFORM AN AUDIT OF THE FIRE DEPARTMENT TRAINING FUND;

WHEREAS, THE ATTORNEY FOR DAVID MILLER HAS

EXPRESSED A RESERVATION TO THE RETENTION OF PEAT MARWICK FOR THIS PURPOSE;

NOW THEREFORE BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY AMENDS RESOLUTION NO. 3 OF 1997 TO AUTHORIZE THE CITY ATTORNEY TO RETAIN ANOTHER ACCOUNTING FIRM TO CONDUCT THE AUDIT OF THE FIRE DEPARTMENT T G FUND;

BE IT FURTHER RESOLVED THAT THE CITY ATTORNEY BE AUTHORIZED TO RETAIN AN ACCOUNTING FIRM WITH SUFFICIENT EXPERTISE AND EXPERIENCE TO CONDUCT THE AUDIT OF THE FIRE DEPARTMENT FUND;

BE IT FURTHER RESOLVED THAT THIS AUDIT BE COMPLETED AS SOON AS PRACTICABLE AND CONSISTENT WITH A COMPLETE REVIEW OF ALL THE RELEVANT FACTS;

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS AUTHORIZED TO MAKE THE NECESSARY FINANCIAL TRANSFERS TO COMPENSATE THE ACCOUNTING FIRM RETAINED BY THE CITY ATTORNEY FOR THE REVIEW OF THE FIRE DEPARTMENT TRAINING FUND;

BE IT FURTHER RESOLVED THAT REQUEST FOR ATTORNEY FEE REIMBURSEMENT BE HELD IN ABEYANCE UNTIL THE COMPLETION OF THE AUDIT AND FURTHER ACTION BY THIS COUNCIL;

BE IT FINALLY RESOLVED THAT THE PROVISIONS IN RESOLUTION NO. 3 OF 1997 NOT AMENDED, HEREIN, REMAIN IN FULL FORCE AND EFFECT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #053**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, SUPERINTENDENT RICHARD J. HALIK, LANSING SCHOOL DISTRICT SUBMITTED TO MAYOR DAVID HOLLISTER WRITTEN NOTIFICATION, DATED NOVEMBER 26, 1996 INDICATING THE SCHOOL DISTRICT'S DECISION TO DISCONTINUE ITS SERVICES IN COMMUNITY EDUCATION PROGRAMMING EFFECTIVE DECEMBER 1, 1996; AND

WHEREAS, THE MAYOR'S OFFICE AND THE PARKS AND RECREATION DEPARTMENT HAVE MET TO REVIEW THE FEASIBILITY OF TRANSFERRING THESE PROGRAMS TO THE CITY OF LANSING AND HAVE DETERMINED IT FEASIBLE AND IN THE BEST INTEREST OF ALL LANSING RESIDENTS TO DO SO FOR SPRING TERM 1997 TO REDUCE CONTINUED PROGRAMMING LAG TIME; AND

WHEREAS, THIS EXPANSION OF SERVICES WOULD CREATE A NEED FOR A NEW FULL-TIME PROFESSIONAL POSITION AND TEMPORARY CONTRACTUAL STAFF TO ADMINISTER THESE PROGRAMS; AND

WHEREAS, THIS TRANSITION IS CONSISTENT WITH CITY COUNCIL RESOLUTIONS #684 OF NOVEMBER 6, 1995 AND #471 OF OCTOBER 14, 1996; AND

WHEREAS, THE PARK BOARD HAS REVIEWED THE PLANNED TRANSITION OF PROGRAMS AND RECOMMENDS TO THE MAYOR TO PROCEED WITH THE TRANSFER.

NOW, THEREFORE, BE IT RESOLVED THAT THE MAYOR IS AUTHORIZED TO ENTER INTO AN AGREEMENT WITH THE LANSING SCHOOL DISTRICT GIVING THE CITY OF LANSING PARKS AND RECREATION DEPARTMENT AUTHORIZATION TO SCHEDULE USE OF SPECIFIC SCHOOL DISTRICT FACILITIES, ROOMS AND TIMES AT NO COST TO THE CITY. INCLUDED IN THIS AGREEMENT SHALL BE PROVISIONS REQUIRING EITHER PARTY TO PROVIDE SIX (6) MONTH ADVANCE NOTICE TO THE CITY COUNCIL REQUESTING MODIFICATIONS TO THE AGREEMENT AND FOR INSURANCE COVERAGE PROTECTING BOTH PARTIES FROM RISK; AND

BE IT FURTHER RESOLVED THAT THE LEISURE AND SPECIAL RECREATION SERVICES DIVISION OF THE PARKS AND RECREATION DEPARTMENT SHALL PROVIDE A PREFERENTIAL REGISTRATION PERIOD ALLOWING ALL RESIDENTS OF CORPORATE LIMITS OF THE CITY OF LANSING FIRST OPPORTUNITY TO ENROLL IN THE PROGRAM OFFERINGS. FOLLOWING THE PREFERENTIAL REGISTRATION PERIOD BOTH RESIDENTS AND NON-RESIDENTS SHALL BE PROVIDED AN OPPORTUNITY TO FILL THE REMAINING ENROLLMENT OPENINGS; AND

BE IT FURTHER RESOLVED THAT THE LEISURE AND SPECIAL RECREATION SERVICES DIVISION OF THE LANSING PARKS AND RECREATION DEPARTMENT HAS ESTABLISHED ADULT PROGRAMMING TO INCLUDE CITIZENS EIGHTEEN (18) YEARS AND OLDER AND YOUTH PROGRAMMING TO INCLUDE CITIZENS 17 YEARS AND YOUNGER; AND

BE IT FURTHER RESOLVED THAT NON-RESIDENT FEES SHALL BE ONE AND ONE HALF TIMES GREATER THAN THE RESIDENT FEE FOR ADULT TEAM SPORTS, ADULT RECREATION CLASSES/SEMINARS AND FOR ALL ICE SKATING CLASSES OFFERED BY THE LEISURE AND SPECIAL RECREATION SERVICES DIVISION OF THE PARKS AND RECREATION DEPARTMENT; AND

BE IT FURTHER RESOLVED THAT NO FURTHER FEE CHANGES ARE RECOMMENDED FOR ADULT AND YOUTH SPORTS PROGRAMS SUBJECT TO RESOLUTION #489 OF NOVEMBER 3, 1986, AND RESOLUTION #690 OF DECEMBER 17, 1990; AND

BE IT FINALLY RESOLVED THAT THE MAYOR IS AUTHORIZED TO HIRE IMMEDIATELY THE NECESSARY

PERSONNEL TO CARRY OUT AND MAINTAIN THESE LEISURE TIME PROGRAMS AND SERVICES FOR THE BENEFIT OF THE GREATER LANSING AREA.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

### ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 888  
P.I.L.O.T. SMOKE RISE  
LIMITED DIVIDEND HOUSING ASSN.

BY COUNCILMEMBER JONES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 888, SECTION 888.11, FOR THE PURPOSE OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES (P.I.L.O.T.) FOR A PROJECT KNOWN AS SMOKE RISE LIMITED DIVIDEND HOUSING ASSOCIATION, WAS INTRODUCED BY COUNCILMEMBER JONES AND REFERRED TO THE COMMITTEE WAYS AND MEANS.

### RESOLUTION #054

#### RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER JONES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, FEBRUARY 24, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 888, SECTION 888.11 FOR THE PURPOSE OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES (P.I.L.O.T.) FOR A PROJECT KNOWN AS SMOKE RISE LIMITED DIVIDEND HOUSING ASSOCIATION

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCE  
REPEAL CHAPTER 280  
ELECTED OFFICERS  
COMPENSATION COMMISSION

BY COUNCILMEMBER JONES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY REPEALING CHAPTER 280 IN ITS ENTIRETY, FOR THE PURPOSE OF ABOLISHING THE ELECTED OFFICERS COMPENSATION

COMMISSION, WAS INTRODUCED BY COUNCILMEMBER JONES AND REFERRED TO THE COMMITTEE OF THE WHOLE.

### RESOLUTION #055

#### RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER JONES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, FEBRUARY 24, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY REPEALING CHAPTER 280 IN ITS ENTIRETY FOR THE PURPOSE OF ABOLISHING THE ELECTED OFFICERS COMPENSATION COMMISSION

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCE  
ADD A NEW CHAPTER, CHAPTER 280  
COMPENSATION OF ELECTED OFFICIALS

BY COUNCILMEMBER JONES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW CHAPTER, CHAPTER 280, COMPENSATION OF ELECTED OFFICIALS, FOR THE PURPOSE OF ESTABLISHING A PROCEDURE FOR DETERMINING THE COMPENSATION FOR ALL ELECTED OFFICIALS, WAS INTRODUCED BY COUNCILMEMBER JONES AND REFERRED TO THE COMMITTEE OF THE WHOLE.

### RESOLUTION #056

#### RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER JONES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, FEBRUARY 24, 1996 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW CHAPTER, CHAPTER 280, COMPENSATION OF ELECTED OFFICIALS FOR THE PURPOSE OF ESTABLISHING A PROCEDURE FOR DETERMINING THE COMPENSATION FOR ALL ELECTED OFFICIALS

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

### **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER JONES

TO EXCUSE COUNCILMEMBER LEEMAN FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

### **OTHER BUSINESS PUBLIC COMMENTS**

ROBERT OVALLE OF 110 E. POINT IN E. LANSING PROTESTED THE RECENT COUNCIL RULES REVISION.

ALBERTA JORDAN, NO ADDRESS GIVEN, ACCUSED COUNCILMEMBERS OF PLAYING GAMES WITH THE MARCH FOR JUSTICE.

LLOYD TEETS OF 116 E. ELM CLAIMED RESPONSIBILITY FOR THE CONFUSION CAUSED BY THE REVISION OF COUNCIL RULES. HE ATTEMPTED TO GET A MODIFIED VERSION OF THE RULES CHANGE PASSED, BUT COUNCIL USED HIS EFFORTS AS A CLOAK TO RAISE HAVOC ON THE PUBLIC'S RIGHT TO ADDRESS THEIR GOVERNMENT. HE WAS ONLY TRYING TO BE A PART OF THE SOLUTION. AS A RESULT, COUNCIL NOW HAS THE MOST REPRESSIVE RULE #19 THEY HAVE EVER HAD. THE PERCEPTION OF RACISM EXISTS IN THEIR ACTIONS.

RON PREADMORE OF 4220 CHRISTIANSON SPOKE IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

TOM HERNLY OF 3425 PALMER ADVOCATED A RETURN TO THE ASSESSMENT METHOD OF PAYING FOR IMPROVEMENTS TO THE SEWER SYSTEM. THE CITY SHOULD REVERT TO THE SPECIAL ASSESSMENT METHODOLOGY AND UTILIZE BEST MANAGEMENT PRACTICES IN THE IMPLEMENTATION OF THE CSO PROGRAM. THEY SHOULD LET COMMON SENSE PREVAIL.

REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH SPOKE IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE, AND SAID THAT WHEN IT IS REPEALED, EVERYONE WHO HAS PAID SHOULD RECEIVE A REFUND. HE PROTESTED THE REVISION OF COUNCIL RULES #16 AND 19, CALLING THE CHANGE INSULTING, DISRESPECTFUL AND PUNITIVE. HE REMINDED HIS AUDIENCE THAT HE WILL CONDUCT A PRAYER VIGIL ON THE CITY HALL PLAZA ON FEBRUARY 24, 1997 AT 12:00 NOON TO HONOR THE MEMORY OF VICTIMS OF POLICE BRUTALITY.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SPOKE REGARDING THE DEATH OF EDWARD SWANS OVER ONE

YEAR AGO TODAY.

CONNIE DELANEY OF 3721 AURELIUS RD. READ SECTION 1043.02 OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

TOM LAFFERTY OF 426 W. MICHIGAN PROTESTED THE RECENT REVISION OF COUNCIL RULE #16 & 19.

DICK FISER OF 12100 S. CORK IN MORRICE URGED THE PUBLIC TO ATTEND A PUBLIC HEARING ON THE REPAIRS PROPOSED FOR CAVANAUGH RD. TOMORROW AT 1717 E. CAVANAUGH RD.

HELEN FISER OF 12100 S. CORK IN MORRICE OBJECTED TO MATERIAL SHE RECEIVED AS A RESULT OF FILING A FREEDOM OF INFORMATION ACT REQUEST.

### **CITY OFFICERS & BOARD REPORTS**

#### **1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:**

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

2. LETTER FROM THE CITY ATTORNEY REGARDING WILLIAM JAMES STAJOS D/B/A/ AMERICAN EAGLE FIREWORKS V CITY OF LANSING

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

#### **3. LETTERS FROM THE MAYOR RE:**

A/ ESTIMATED AND ACTUAL REVENUES AND EXPENDITURES TO DATE 9/30/96

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B/ REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS: HOUSING RESOURCES CENTER, C.W. OTTO MIDDLE SCHOOL

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

C/ PUBLIC IMPROVEMENT V, ACTUAL COST - SPECIAL ASSESSMENT ROLL #B-56

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D/ PUBLIC IMPROVEMENT I, CURB & GUTTER & SANITARY STORM SEWER, DORIS ST.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E/ TRANSFER OF FUNDS: LPD, PUBLIC SERVICE



REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F/ PUBLIC IMPROVEMENT I & PUBLIC IMPROVEMENT II, SIDEWALK REPAIR; AREA BOUNDED BY COOPER AVE., BOSTON BLVD., HOLLY WAY, PLEASANT GROVE RD.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

G/ 1997 GOLF FEES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

H/ NEWSPAPER ARTICLE FEATURING OLDSMOBILE PARK

RECEIVED AND PLACED ON FILE

I/ ACCEPTANCE SPEECH OF NANCY E. ANDERSON, RECIPIENT OF THE MICHIGAN RECREATION & PARK ASSOCIATION 1997 CELEBRITY OF THE YEAR AWARD

RECEIVED AND PLACED ON FILE

J/ ANNUAL EVALUATION - PLUMBING BOARD

REFERRED TO THE COMMITTEE OF THE WHOLE

K/ APPOINTMENT OF ROBERTA ALBERT TO THE ELECTED OFFICERS COMPENSATION COMMISSION FOR A TERM TO EXPIRE OCTOBER 10, 1997

REFERRED TO THE COMMITTEE OF THE WHOLE

### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM THE LANSING SCHOOL DISTRICT REQUESTING THE INSTALLATION OF A GREEN ARROW TURN SIGNAL AT THE INTERSECTION OF SHIAWASSEE ST. AND PENNSYLVANIA

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD AND THE COMMITTEE ON PUBLIC SAFETY

2. LETTER FROM CARLEEN DAVIS OF 2802 S. WASHINGTON REGARDING THE DESTRUCTION OF THE RESIDENTIAL APPEARANCE OF HER NEIGHBORHOOD

RECEIVED AND PLACED ON FILE

3. LETTERS PROTESTING THE APPLICATION FOR SDD LIQUOR LICENSE BY RITE AID AT 1019 W. SAGINAW

FROM:

- PETER C. CHIARAVALLI, 1500 W. SAGINAW  
- THOMAS & SUSAN BUCKLEY 524 LEITRAM

REFERRED TO THE COMMITTEE ON GENERAL SERVICES (COPY TO M.L.C.C.)

4. LETTER FROM REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH INVITING COUNCILMEMBERS TO THEIR PRAYER VIGIL ON FEBRUARY 24, 1997 AT 12:00 NOON IN THE CITY HALL PLAZA, AND REQUESTING SPEAKING TIME ON THE FEBRUARY 10, 1997 AGENDA

RECEIVED AND PLACED ON FILE

5. STORMWATER ENTERPRISE FUND FEE APPEALS RECEIVED FROM:

- BILL & BEVERLY DODGE, 3521 PALMER ST.  
- ROBERT & MARILYN DYKHAN, 3419 PALMER  
- THOMAS & LORETTA HERNLY, 220 PARIS AVE. & 3425 PALMER ST.  
- JAMES & VERA HORN, 3413 PALMER ST.  
- RODNEY & MARIE RAY, 3430 PALMER ST.  
- FRANK & ALICE ROGERS 3418 PALMER ST.  
- SHERI ROGERS, 3414 PALMER ST.

REFERRED TO THE MAYOR

6. LETTER FROM RICHARD AND HELEN FISER REGARDING THE PROPOSED CAVANAUGH RD. RECONSTRUCTION

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

MAYOR HOLLISTER

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER THANKED THE STUDENTS AND TEACHERS FROM GARDNER MIDDLE SCHOOL FOR MAKING THE PEACE MAKER'S PROGRAM SUCH A HUGE SUCCESS. SHE CONGRATULATED THE WINNER AND NOMINEES OF THE BEA CHRISTY AWARD. SHE EXPLAINED THAT THE COUNCIL RULE CHANGE WAS NOT IN RESPONSE TO THE OUTCRY FROM THE MARCH FOR JUSTICE. COUNCILMEMBER LILLY PROPOSED A COUNCIL RULE CHANGE TO HER OVER A YEAR AGO.

COUNCILMEMBER JONES COMMENDED THE WINNERS OF THE NEIGHBORHOOD AWARDS AND SUGGESTED THAT THE NEIGHBORHOOD COUNCIL CHANGE THE MANNER IN WHICH THEY HONOR THEIR INDIVIDUALS, BECAUSE, THE THREE JUDGES THAT DECIDED THE BEA CHRISTY AWARD WINNER WERE NOT FAMILIAR WITH WHAT WENT ON IN EACH INDIVIDUAL NEIGHBORHOOD GROUP ACROSS THE CITY.

COUNCILMEMBER NOVAK AGREED WITH

COUNCILMEMBER BAUER THAT THE COUNCIL RULE CHANGE WAS NOT RACIALLY MOTIVATED.

COUNCILMEMBER ALLEN CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE PUBLIC SAFETY COMMITTEE THIS THURSDAY AT 3:00 AND THE SPECIAL MEETING OF THE COMMITTEE SCHEDULED FOR SATURDAY AT 12:30 P.M.

COUNCILMEMBER BEAL COMMENTED THAT THERE WERE OVER TWO HOURS OF PUBLIC COMMENT ON THE STORMWATER ORDINANCE TONIGHT. WHEN THE NEW PROCESS GETS SMOOTHED OUT THE PUBLIC WILL FIND THAT THEY GET TO SPEAK REASONABLY EARLY IN THE MEETING AND FOR REASONABLE LENGTHS OF TIME.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER REMINDED THE LISTENING AUDIENCE OF THE DEADLINE FOR NEIGHBORHOOD GRANT APPLICATIONS ON TUESDAY, FEBRUARY 18, 1997 AT 4:00 P.M.

HE LAUDED THE STORMWATER ENTERPRISE ORDINANCE PUBLIC HEARING HELD TONIGHT FOR THE WEALTH OF INFORMATION IT PRODUCED. HE SAID THAT IT IS CLEAR THAT THERE IS AN EPA MANDATE THAT WE NOT POLLUTE THE RIVER. THERE IS A STATE REQUIREMENT FOR A PERMIT REQUIRING THE SEPARATION OF OUR SEWERS. THE REPEAL OF THIS ORDINANCE, WITHOUT AN ALTERNATIVE IN PLACE, WOULD JEOPARDIZE THE CREDIT RATINGS AND BONDING ABILITY OF THE CITY. THIS IS A VERY REAL REQUIREMENT, NOT A LIE. WE WILL REVIEW ALL OF OUR OPTIONS AND TRY TO DEVISE A BETTER ALTERNATIVE.

**ADJOURNED 11:40 P.M.**

**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS FEBRUARY 17, 1997**

69

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION WAS OBSERVED AS A MOMENT OF  
SILENCE, AND THE PLEDGE OF ALLEGIANCE WAS LED BY  
COUNCILMEMBER BEAL

**APPROVAL OF MINUTES**

THE APPROVAL OF THE FEBRUARY 10, 1997  
PRINTED COUNCIL PROCEEDINGS WAS PULLED  
FROM THE AGENDA AT THE REQUEST OF CITY  
CLERK SLADE TO ALLOW FOR COMPLETION OF THE  
MATERIAL

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LEEMAN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER LEEMAN; A RESOLUTION OF  
TRIBUTE HONORING NATIONAL ENGINEERS WEEK,  
FEBRUARY 16-22, 1997

2. FROM COUNCILMEMBER LILLY; A REQUEST THAT  
THE RULES BE SUSPENDED TO ALLOW FOR THE  
INCLUSION OF A MOTION FOR RECONSIDERATION OF THE  
VOTE TAKEN ON THE RESOLUTION APPROVING  
STORMWATER ENTERPRISE FUND FEE APPEALS TAKEN  
AT THE MEETING HELD ON FEBRUARY 10, 1997

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE  
PORTION OF THE REGULAR MEETING TO WHICH  
THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

A. COUNCILMEMBER HOWARD JONES PRESENTED A  
RESOLUTION OF TRIBUTE TO IVAN LOVE, DIRECTOR OF  
CAPITOL AREA COMMUNITY SERVICES HONORING THEIR  
ANNUAL "WALK FOR WARMTH" TO BE HELD ON  
SATURDAY, FEBRUARY 22, 1997. MR. LOVE  
ACCEPTED THE TRIBUTE AND THANKED THE COUNCIL

AND THE ADMINISTRATION FOR THEIR SUPPORT OF THIS  
PROGRAM. LAST YEAR'S FUND RAISER NETTED MORE  
THAN \$45,000, OF WHICH EVERY PENNY WAS SPENT  
TO PAY HEATING BILLS FOR QUALIFIED INDIVIDUALS.  
FOR PARTIES INTERESTED IN SENDING IN A DONATION,  
THEIR OFFICE IS LOCATED AT 101 E. WILLOW,  
LANSING 48906, OR THEY CAN BE REACHED BY  
PHONE AT 482-6281. THE WALK BEGINS AT CITY  
HALL THIS SATURDAY AT 9:00 A.M.

B. MAYOR HOLLISTER, ALONG WITH PARKS AND  
RECREATION DEPARTMENT DIRECTOR R. ERIC  
REICKEL, MADE PRESENTATIONS OF AWARDS TO LANSING  
AREA RECIPIENTS OF STATEWIDE AWARDS FROM THE  
MICHIGAN RECREATION AND PARKS ASSOCIATION. MR.  
REICKEL ANNOUNCED THAT LANSING'S IS THE FIRST  
PARKS AND RECREATION MASTER PLAN IN MICHIGAN TO  
RECEIVE THIS KIND OF AWARD, THANKS TO THE  
EXPERTISE OF THESE VOLUNTEERS WHO HELPED IN ITS  
DEVELOPMENT.

**PUBLIC AND MAYOR'S COMMENTS  
ON LEGISLATIVE MATTERS**

A. PUBLIC HEARINGS

1. IN CONSIDERATION OF Z-16-96; VACANT LAND  
LOCATED IN THE 1200 BLOCK OF THE SOUTH SIDE OF  
W. JOLLY RD., PETITION FOR REZONING FROM "A"  
RESIDENTIAL TO "F" COMMERCIAL DISTRICTS FILED BY  
MITCHEL AND MICHAEL SKORY TO ALLOW FOR  
DEVELOPMENT OF A MULTI-TENANT COMMERCIAL  
BUILDING

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT  
& PLANNING

2. IN CONSIDERATION OF AN ORDINANCE AMENDING  
CHAPTER 1460, ABANDONED/DISABLED MOTOR  
VEHICLES

RUTH HALLMAN OF 1014 W. LAPEER SPOKE IN  
SUPPORT OF THIS AMENDMENT, SAYING, THAT THESE  
TYPES OF VEHICLES POSE MANY CONCERNS. THEY ARE  
BEING USED TO STORE DRUGS IN, AND THEY ARE BEING  
USED FOR OVERNIGHT SHELTERS BY MEMBERS OF THE  
HOMELESS POPULATION WHO DO NOT MEET ELIGIBILITY  
REQUIREMENTS FOR ADMISSION TO SHELTERS.

CAROL WOOD OF 1018 W. LAPEER, VICE PRESIDENT  
OF THE GENESEE NEIGHBORHOOD ASSOCIATION SPOKE  
IN SUPPORT OF THIS ORDINANCE, SAYING THAT  
ABANDONED/DISABLED MOTOR VEHICLES ATTRACT SMALL  
CHILDREN AND ANIMALS.

AL KOTCHKA OF 518 N. PINE, WINNER OF THIS

YEAR'S BEA CHRISTY AWARD, SPOKE IN SUPPORT OF THIS AMENDMENT.

GLADYS GILSON OF 223 W. BARNES SPOKE IN SUPPORT OF THIS AMENDMENT.

LLOYD TEETS OF 116 E. ELM ST. SUPPORTS AN AMENDMENT TO THIS CHAPTER, HOWEVER, CANNOT SUPPORT THIS PARTICULAR ORDINANCE, BECAUSE THE DEFINITION OF ABANDONED/DISABLED MOTOR VEHICLES IS TOO BROADLY WORDED. THE AVERAGE INCOME OF LANSING RESIDENTS IS LESS THAN \$20,000 PER YEAR. THESE PEOPLE CANNOT AFFORD TO BUY NEW CARS, WHICH MEANS THAT FROM TIME TO TIME THEIR CARS WILL BREAK DOWN. UNDER THE TERMS OF THIS AMENDMENT, ALMOST ANY VEHICLE WOULD FIT THE DESCRIPTION OF AN ABANDONED/DISABLED MOTOR VEHICLE.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

#### B. LEGISLATIVE MATTERS

CAROL WOOD OF 1018 W. LAPEER THANKED THE MEMBERS OF THE PUBLIC SAFETY COMMITTEE FOR THEIR HARD WORK ON THE MARCH FOR JUSTICE ISSUES. IT IS TIME FOR THIS SITUATION TO COME TO A HALT. IT IS UNFAIR FOR POLICE OFFICERS OF THE CITY TO BE MALIGNED WEEK AFTER WEEK WITHOUT CREDIBLE EVIDENCE TO SUPPORT THE CLAIMS. SHE FEELS THAT IT IS NECESSARY TO REQUIRE THE REPAYMENT OF ANY FUNDS EXPENDED BY THE CITY FOR DIVERSITY TRAINING OF OFFICERS, BECAUSE ONCE THIS MONEY HAS BEEN EXPENDED ON THEIR BEHALF, THERE IS NO INCENTIVE FOR THE OFFICERS TO REMAIN IN THE EMPLOY OF THE CITY OF LANSING RATHER THAN SEEKING EMPLOYMENT ELSEWHERE.

ALBERTA JORDAN, NO ADDRESS GIVEN, SPOKE IN SUPPORT OF THE MARCH FOR JUSTICE.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO, PASTOR OF THE FRIENDSHIP BAPTIST CHURCH, SPOKE REGARDING THE MARCH HELD ON SEPTEMBER 28, 1996 THAT WAS ATTENDED BY MORE THAN 1,300 INDIVIDUALS. THEY HAVE APPEARED AT EVERY CITY COUNCIL MEETING SINCE THAT DAY TO PROTEST DISCRIMINATION IN THE POLICE DEPARTMENT. THEY ARE CONCERNED THAT CITY COUNCIL AND THE PUBLIC SAFETY COMMITTEE INTEND TO STOP THE DEBATE ON THE DEATH OF EDWARD SWANS, AND THEY WILL CONTINUE TO ADDRESS COUNCIL ON THIS ISSUE.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE WANTS THE PUBLIC TO KNOW EXACTLY WHAT COUNCIL IS TRYING TO DO BY ADOPTING THE TWO RESOLUTIONS ON THE MARCH FOR JUSTICE RECOMMENDATIONS TONIGHT. HE WANTS THE MARCH FOR JUSTICE TO COMPLETELY UNDERSTAND EXACTLY WHAT HAPPENED AS A RESULT OF THEIR MARCH AND THE MONTHS OF ATTENDING COUNCIL MEETINGS. HE STATED THAT COUNCIL WILL DO NOTHING ON THIS ISSUE NOW, UNTIL THE CIVIL CASE HAS BEEN RECONCILED, WHICH SHOULD TAKE ABOUT FIVE YEARS.

### LEGISLATIVE MATTERS

#### A. CONSENT MATTERS

#### B. RESOLUTIONS

##### RESOLUTION #057

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS REVIEWED A RECOMMENDATION OFFERED BY THE MARCH FOR JUSTICE GROUP CONCERNING THE DEATH OF EDWARD SWANS WHILE IN CUSTODY OF THE LANSING POLICE DEPARTMENT; AND

WHEREAS, THE COMMITTEE DISCUSSED THIS MATTER AT LENGTH WITH LEADERS OF THE GROUP, AND REPORTS ITS RECOMMENDATIONS FOR COUNCIL ACTION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY ADOPTS THE FOLLOWING RECOMMENDATIONS OF THE COMMITTEE ON PUBLIC SAFETY REGARDING THE EDWARD SWANS INCIDENT:

1. THE CITY COUNCIL WILL NOT MAKE FURTHER INQUIRY INTO THE CONDUCT OF OFFICERS THAT WERE INVOLVED IN THE SWANS INCIDENT PENDING THE OUTCOME OF
  - (A) UNITED STATES DEPARTMENT OF JUSTICE/FEDERAL BUREAU OF INVESTIGATION REVIEW OF THE MATTER;
  - (B) ANY ADDITIONAL REVIEW BY THE INGHAM COUNTY PROSECUTING ATTORNEY; AND
  - (C) ANY CIVIL LITIGATION INVOLVING THE MATTER.
2. THE CITY COUNCIL WILL RETAIN JURISDICTION OF THE BOARD OF POLICE COMMISSIONERS' REPORT OF JUNE 10, 1996, TO MAKE RECOMMENDATIONS AS APPROPRIATE, FOR IMPLEMENTATION OF THE MEASURES SUGGESTED IN THAT REPORT.
3. ANY DOCUMENTS, STATEMENTS OR DEPOSITION TRANSCRIPTS EXCHANGED IN CIVIL LITIGATION SHALL CONTINUE TO BE COMPILED AT THE CITY COUNCIL OFFICE SO THAT THE INFORMATION MAY BE AVAILABLE FOR REVIEW BY THE PUBLIC, AND SHALL BE MADE AVAILABLE TO BOTH THE INGHAM COUNTY PROSECUTING ATTORNEY AND THE U. S. DEPARTMENT OF JUSTICE UPON REQUEST.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

##### RESOLUTION #058

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS

REVIEWED SEVERAL RECOMMENDATIONS OFFERED BY THE MARCH FOR JUSTICE GROUP CONCERNING EMPLOYMENT IN THE LANSING POLICE DEPARTMENT; AND

WHEREAS, THE COMMITTEE DISCUSSED THIS MATTER AT LENGTH WITH LEADERS OF THE GROUP, AND REPORTS ITS RECOMMENDATIONS FOR COUNCIL ACTION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY ADOPTS THE FOLLOWING RECOMMENDATIONS OF THE COMMITTEE ON PUBLIC SAFETY REGARDING EMPLOYMENT IN THE LANSING POLICE DEPARTMENT;

1. THE CITY COUNCIL ADOPTS SUPPORTS THE RECOMMENDATION OF THE MARCH FOR JUSTICE GROUP TO PROVIDE THE NECESSARY FINANCIAL RESOURCES TO ACCOMPLISH RECRUITMENT GOALS BY EXPANDING THE LANSING CADET PROGRAM OR ALTERNATIVE FORGIVABLE LOAN PROGRAM TO ASSIST WITH THE COSTS OF EDUCATION AND TRAINING FOR THE CITY OF LANSING YOUTH WHO DO NOT MEET THE EXISTING INCOME QUALIFICATIONS FOR THE PROGRAM. THE ADMINISTRATION IS REQUESTED TO DEVELOP A COST ESTIMATE FOR SUCH AN EXPANDED PROGRAM AND REPORT TO THE COUNCIL WITHIN 45 DAYS.

2. THE CITY COUNCIL ADOPTS THE RECOMMENDATION OF THE MARCH FOR JUSTICE GROUP TO ESTABLISH A LAW ENFORCEMENT SUNDAY TO ENCOURAGE THE RECRUITMENT OF LANSING YOUTH FROM AREA CHURCHES AND OTHER PLACES OF WORSHIP AND CULTURAL INSTITUTIONS FOR THE POLICE DEPARTMENT, AS WELL AS OTHER AREAS OF CITY HIRING.

3. THE CITY COUNCIL FURTHER DETERMINES THAT THE CITIZENS' POLICE ACADEMY SHOULD BE EXPANDED TO INCLUDE HIGH SCHOOL STUDENTS.

AND BE IT FURTHER RESOLVED THE ADMINISTRATION IS REQUESTED TO DEVELOP, WITHIN THE EXIT INTERVIEW PROCESS ADMINISTERED BY THE HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT, QUESTIONS WHICH RELATE TO THE REASONS FOR DEPARTURE OF EMPLOYEES FROM THE POLICE DEPARTMENT, AND TO SUMMARIZE THE RESULTS OF SUCH INTERVIEWS IN THE CITY'S ANNUAL AFFIRMATIVE ACTION REPORT ON A BASIS BROKEN DOWN BY RACE AND SEX, FOR THE PURPOSE OF EVALUATING RETENTION RATES; AND

BE IT FINALLY RESOLVED THE CLERK IS REQUESTED TO REFER THIS RESOLUTION TO THE MAYOR FOR ACTION ON THE ABOVE REQUESTS.

BY COUNCILMEMBER ALLEN

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER LILLY TO AMEND THE RESOLUTION IN SUB-PARAGRAPH # 1 BY DELETING THE WORD "ADOPTS" AND INSERTING THE WORD "SUPPORTS", AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

#### RESOLUTION #059

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE FINANCIAL HARDSHIP EXPERIENCED BY LOW-INCOME FAMILIES IS INTENSIFIED BY THE SEVERE IMPACT OF WINTER IN MICHIGAN, CAUSING LIMITED RESOURCES TO BE STRETCHED AND A DISPROPORTIONATE SHARE OF INCOME TO BE USED TO PROVIDE THE SIMPLE NECESSITY OF A SAFE AND WARM HOME; AND

WHEREAS, FEDERAL AND STATE PROGRAMS INTENDED TO DEAL WITH HEATING-RELATED EMERGENCIES HAVE DECLINED DRAMATICALLY IN RECENT YEARS, PARTICULARLY AFFECTING PEOPLE WHO FALL OUTSIDE THE ESTABLISHED WELFARE SYSTEM, THE UNEMPLOYED AND THE UNDEREMPLOYED; AND

WHEREAS, CAPITAL AREA COMMUNITY SERVICES, IN AN EFFORT TO RAISE MONEY TO HELP PEOPLE THROUGHOUT OUR COMMUNITY WHO SUFFER THE EFFECTS OF HEATING-RELATED EMERGENCIES, IS SPONSORING THEIR ANNUAL "WALK FOR WARMTH" ON SATURDAY, FEBRUARY 22ND, IN INGHAM, EATON, CLINTON AND SHIAWASSEE COUNTIES;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 17TH DAY OF FEBRUARY, 1997, HEREBY RECOGNIZES SATURDAY, FEBRUARY 22, 1997, AS "WALK FOR WARMTH DAY IN LANSING"; AND

BE IT FURTHER RESOLVED THE COUNCIL URGES ALL CITIZENS TO SHOW COMPASSION FOR THEIR NEIGHBORS IN NEED BY ACTIVELY PARTICIPATING IN THIS VERY WORTHY EVENT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #060

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING ("EMPLOYER") ESTABLISHED A DEFERRED COMPENSATION PLAN ("PLAN"), EFFECTIVE ON JULY 1, 1985, PURSUANT TO SECTION 457 OF THE INTERNAL REVENUE CODE OF 1986 ("CODE"), AS AMENDED;

WHEREAS, THE SMALL BUSINESS JOB PROTECTION ACT OF 1996 ("ACT") CHANGED CERTAIN PROVISIONS OF CODE SECTION 457;

WHEREAS, THE COMMITTEE ON DEFERRED COMPENSATION ("COMMITTEE") RECOMMENDS TO MODIFY SECTION 6.01 E OF THE PLAN TO COMPLY WITH THE PROVISIONS OF THE ACT BY ADDING THE FOLLOWING

PARAGRAPH;

A PARTICIPANT WHO HAS ELECTED TO DEFER BENEFITS PURSUANT TO THE PARAGRAPH ABOVE MAY, SUBSEQUENT TO THEIR INITIAL ELECTION AND PRIOR TO THE COMMENCEMENT OF BENEFITS, ELECT TO FURTHER DEFER PAYMENT OF BENEFITS TO A LATER DATE AS ALLOWED BY THE PLAN. A PARTICIPANT IS ONLY PERMITTED TO MAKE ONE SUCH REVISED ELECTION.

WHEREAS, THE EMPLOYER DESIRES TO MODIFY ITS PLAN TO COMPLY WITH THE PROVISIONS OF THE ACT; AND

NOW, THEREFORE, BE IT RESOLVED THAT THE EMPLOYER HEREBY AMENDS SECTION 6.01E BY ADDING THIS PARAGRAPH TO ITS PLAN, EFFECTIVE IMMEDIATELY.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #061**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, IN ACCORDANCE WITH CHAPTER 280 OF THE CITY CODE OF ORDINANCES THE ELECTED OFFICERS COMPENSATION COMMISSION DETERMINES THE SALARIES OF THE CITY OF LANSING ELECTED OFFICIALS; AND

WHEREAS, AS REQUIRED IN CHAPTER 280, THE COMMISSION MUST MEET PRIOR TO MARCH 1, IN EACH ODD-NUMBERED YEAR; AND

WHEREAS, CHAPTER 280 ALSO REQUIRES THAT THE DATE, TIME AND LOCATION OF THE FIRST MEETING BE DESIGNATED BY COUNCIL RESOLUTION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONVENES THE ELECTED OFFICERS COMPENSATION COMMISSION FOR ITS FIRST MEETING OF THE 1997 SESSION IN THE CITY COUNCIL CONFERENCE ROOM, LOCATED ON THE TENTH FLOOR OF LANSING CITY HALL, TUESDAY, FEBRUARY 25, 1997, AT 5:30 P.M.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #062**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ENGINEERS HAVE USED THEIR SCIENTIFIC AND TECHNICAL KNOWLEDGE AND SKILLS IN CREATIVE AND INNOVATIVE WAYS TO FULFILL SOCIETY'S NEEDS, AND

WHEREAS, ENGINEERS FACE THE MAJOR

TECHNOLOGICAL CHALLENGES OF OUR TIME - FROM REBUILDING TOWNS DEVASTATED BY NATURAL DISASTERS TO DESIGNING AN INFORMATION SUPERHIGHWAY THAT WILL SPEED OUR COUNTRY INTO THE TWENTY FIRST CENTURY; AND

WHEREAS, ENGINEERS ARE ENCOURAGING OUR YOUNG MATH AND SCIENCE STUDENTS TO REALIZE THE PRACTICAL POWER OF THEIR KNOWLEDGE; AND

WHEREAS, WE WILL LOOK MORE THAN EVER TO ENGINEERS AND THEIR KNOWLEDGE AND SKILLS TO MEET THE CHALLENGES OF THE FUTURE;

NOW THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY PROCLAIMS FEBRUARY 16-22, 1997 NATIONAL ENGINEERS WEEK IN LANSING, MICHIGAN.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

TO RECONSIDER THE MOTION FOR APPROVAL OF THE RESOLUTION FROM THE GENERAL SERVICES COMMITTEE APPROVING STORMWATER ENTERPRISE FUND APPEALS FROM THE FEBRUARY 10, 1997 CITY COUNCIL MEETING

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

TO REFER THIS RESOLUTION BACK TO THE COMMITTEE ON GENERAL SERVICES FOR FURTHER CONSIDERATION WITH THE CAVEAT THAT THE COMMITTEE CONSIDER SOMETHING LESS THAN THE 100% REFUNDS THEY PREVIOUSLY RECOMMENDED

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

**OTHER BUSINESS**

(INCLUDING PUBLIC COMMENT  
THREE MINUTE TIME LIMIT)

RONALD JONES OF 2818 STOCKMAN CRT. THANKED THE GENERAL SERVICES COMMITTEE FOR CONSIDERING HIS STORMWATER ENTERPRISE FUND APPEAL LAST WEEK, AND SAID THAT HE BELIEVES THAT HE DESERVES TO HAVE HIS APPEAL APPROVED.

RICHARD FISER OF 12100 S. CORK RD. IN MORRICE STATED HIS OBJECTIONS TO THE PROCEDURES USED TO INITIATED PUBLIC IMPROVEMENTS. THE PUBLIC SHOULD HAVE MORE INPUT INTO THE PROCESS FROM THE FRONT END. THERE HAS BEEN NO PUBLIC HEARING ON THE

CAVANAUGH RD. IMPROVEMENTS, AND WILL NOT BE ONE UNTIL AFTER THE BIDS HAVE BEEN RECEIVED AND THE PROJECT IS ALL CUT AND DRIED.

HELEN FISER OF 12100 S. CORK RD. AGREED WITH THE STATEMENTS OF HER HUSBAND, RICHARD. THE PROJECT SHOULD NOT BE CUT AND DRIED PRIOR TO IT GOING TO THE PUBLIC FOR THEIR INPUT. THEY WILL NOT ALLOW THIS PROJECT TO BE SHOVED DOWN THEIR THROATS IN THE SAME MANNER THAT THE STORMWATER ENTERPRISE FUND ORDINANCE WAS. SHE PROTESTED THE MISINFORMATION BEING GIVEN TO SENIORS IN THIS AREA TO GET THEIR SUPPORT.

ALBERTA JORDAN, NO ADDRESS GIVEN, SAID THAT EDWARD SWANS WAS NOT SCHIZOPHRENIC PRIOR TO SERVING TIME IN VIETNAM. SOCIETY SHOULD HAVE BEEN DOING SOMETHING ABOUT HIS CONDITION FOR THE LAST 26 YEARS.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO, PASTOR OF FRIENDSHIP BAPTIST CHURCH INVITED EVERYONE TO THE PRAYER VIGIL AND COMMEMORATIVE SERVICES TO REMEMBER VICTIMS OF POLICE BRUTALITY, EXCESSIVE FORCE AND HARASSMENT. HE RESTATED HIS BELIEF THAT THE OFFICERS INVOLVED IN THE DEATH OF EDWARD SWANS ARE GUILTY OF MURDER.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE IS OUTRAGED BY THE COUNCIL'S ACTIONS TONIGHT REGARDING THE MARCH FOR JUSTICE, BECAUSE HE EXPECTED CLOSURE. NOW, THEY HAVE SPENT ALL OF THIS TIME AND ARE NOT GOING TO TALK ABOUT IT ANYMORE UNTIL THE CIVIL TRIAL IS OVER. THE ONLY PEOPLE COUNCIL ATTEMPTED TO PLEASE ON THIS ISSUE ARE THEMSELVES

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SPOKE REGARDING THE CHARGES THE MARCH FOR JUSTICE HAVE LEVIED AGAINST MEMBERS OF THE LANSING POLICE DEPARTMENT.

LOUIS ADADO OF 5305 S. WAVERLY COMMENDED THE MEMBERS OF THE PUBLIC SAFETY COMMITTEE FOR THEIR FINDINGS IN THE SWANS MATTER. HE WOULD HAVE LIKED FOR THE COMMITTEE TO HAVE FOUND THE POLICE OFFICERS INNOCENT AND TO HAVE SAID SO PUBLICLY. IT IS UNFORTUNATE THAT WE DO NOT HAVE MORE MENTAL HEALTH DOLLARS WITH WHICH TO PROVIDE CARE FOR PEOPLE LIKE MR. SWANS, HOWEVER, THAT IS A FUNCTION STATE GOVERNMENT, AND IS NOT CITY COUNCIL'S FAULT.

#### A. REPORTS FROM COUNCIL COMMITTEES

THERE WERE NO COMMITTEE REPORTS

#### B. CITY OFFICER & BOARD REPORTS

##### 1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING

COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

2. LETTERS FROM THE CITY CLERK REFERRING THE FOLLOWING MATTERS FOR CITY COUNCIL CONSIDERATION AND APPROPRIATE ACTION:

A. TERM EXPIRATIONS FOR 1997, IN ACCORDANCE WITH SECTION 5-103.11 OF THE CITY CHARTER

REFERRED TO THE MAYOR

B. APPLICATION FOR EXEMPTION FROM THE HEALTH CLUB ORDINANCE AS A QUALIFIED AND CERTIFIED MASSAGE THERAPIST: LICENSEE - EVELYN KAY CAIN

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3. LETTERS FROM THE CITY ATTORNEY RE:

A. BILLY JOE FIFIELD, ET UX V CITY OF LANSING, ET AL

RECEIVED AND PLACED ON FILE

B. RICHARD PRYOR V CITY OF LANSING, ET AL

RECEIVED AND PLACED ON FILE

C. RICHARD L. PUTNEY V CITY OF LANSING

RECEIVED AND PLACED ON FILE

4. CITY OF LANSING AUDIT REPORTS FILED BY OUTSIDE AUDITOR KPMG PEAT MARWICK FOR:

A. 54-A DISTRICT COURT, FISCAL YEAR ENDED JUNE 30, 1996

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. SEWAGE DISPOSAL SYSTEM FUND, FISCAL YEAR ENDED JUNE 30 1996 AND JUNE 30, 1995

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. ANNUAL REPORT FILED BY THE TAX INCREMENT FINANCE AUTHORITY

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: PERSONNEL, CENTRAL GARAGE, CITY CLERK, PUBLIC SERVICES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. UPDATE; CITY OF LANSING HOME OWNERSHIP PROGRAM (L-HOP)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. PUBLIC IMPROVEMENT II, CAVANAUGH RD. RECONSTRUCTION FROM PENNSYLVANIA AVE. TO AURELIUS RD., P.S. #67060

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. PROPOSED OBJECTIVES, GOALS AND PROJECTED USE OF FUNDS; COMMUNITY DEVELOPMENT FUND RESOURCES FY 1997-98

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

E. Z-18-96; 4720 S. CEDAR

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

F. INTERDISCIPLINARY HEALTH SERVICES COURSE OFFERED BY MSU COLLEGE OF HUMAN ECOLOGY, NURSING, & OSTEOPATHIC MEDICINE

RECEIVED AND PLACED ON FILE

G. APPOINTMENT OF REV. MELVIN JONES OF 1020 W. HILLSDALE TO AT-LARGE SEAT ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

H. APPOINTMENT OF JOAN JACKSON-JOHNSON OF 2211 BARRITT ST. TO A 1ST WARD SEAT ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

I. APPOINTMENT OF SUSAN ANDERSON OF 3200 LEAWOOD TO AN AT-LARGE SEAT ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

J. APPOINTMENT OF GENICE RHODES-REED OF 2114 TECUMSEH RIVER DR. TO AN AT-LARGE SEAT ON THE HUMAN RELATIONS AND COMMUNITY SERVICES BOARD FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

K. APPOINTMENT OF ROBERT J. EGAN OF 733 W.

SHIAWASSEE TO AN AT-LARGE SEAT ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1989

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

L. APPOINTMENT OF JOHN R. HERNANDEZ OF 3211 TRAPPERS COVE #1-A TO A 2ND WARD SEAT ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

M. APPOINTMENT OF REV. ROGER N. POHL OF 2840 NORWICH TO A 3RD WARD SEAT ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1999

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

N. APPOINTMENT OF ANNE SMILEY OF 423 W. GRAND RIVER TO A 4TH WARD SEAT ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

O. APPOINTMENT OF PHILIP W. ALDERFER OF 139 S. CLEMENS AVE. TO A VACATED SEAT ON THE PARKS BOARD FOR A TERM TO EXPIRE JUNE 30, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

P. REQUEST FOR ALLOCATION OF FUNDS TO SUPPORT THE 1997 CAPITAL CITY RIVERFEST EVENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

#### C. COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

I. LETTERS FROM THE STATE OF MICHIGAN RE:

A. DEPARTMENT OF CONSUMER & INDUSTRY SERVICES PERMIT FEE QUESTIONNAIRE

REFERRED TO THE MAYOR

B. DEPARTMENT OF ENVIRONMENTAL QUALITY NOTICE OF APPLICATION FOR A PERMIT FOR



CONSTRUCTION IN A FLOODPLAIN FILED BY P.S. PARTNERSHIP OF 1501 RENSEN ST. FOR SOCCER ZONE PROPERTY LOCATED AT 4700 CONTEC DR.

REFERRED TO THE MAYOR

C. NOTICE FROM THE DEPARTMENT OF TREASURY, STATE TAX COMMISSION OF INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE #96-665 ISSUED TO CAMERON TOOL CORPORATION

REFERRED TO THE MAYOR

D. NOTICE FROM THE DEPARTMENT OF TREASURY, STATE TAX COMMISSION OF INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE #96-666 ISSUED TO GENERAL MOTORS CORPORATION SMALL CAR GROUP

REFERRED TO THE MAYOR

E. NOTICE FROM THE DEPARTMENT OF TREASURY, STATE TAX COMMISSION OF INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE #96-667 ISSUED TO GENERAL MOTORS CORPORATION SMALL CAR GROUP

REFERRED TO THE MAYOR

F. NOTICE FROM THE DEPARTMENT OF TREASURY, STATE TAX COMMISSION OF INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE #96-668 ISSUED TO DEMMER CORPORATION

REFERRED TO THE MAYOR

G. NOTICE FROM STATE SENATOR, DIANNE BYRUM SUBMITTING ATTORNEY GENERAL OPINION REGARDING THE PHOTO ID REQUIREMENT FOR VOTING

RECEIVED AND PLACED ON FILE

2. LETTER FROM MISS DIG SYSTEM, INC. REGARDING MISS DIG SYSTEM, INC., VS POWER PLUS ENGINEERING, INC., SAFEWAY OUTDOOR LIGHTING CO., INC., SAFEWAY LOCATING SERVICES, MICHAEL L. MANCUSO AND SALVATORE J. MANCUSO

REFERRED TO THE MAYOR

3. Z-03-97, 1119 WILLOW, 1217-1215-1209-1205 & 1201 MLK BLVD. AND 114 & 118 THEODORE, PETITION FOR REZONING FROM "B" RESIDENTIAL, "F" COMMERCIAL AND "J" PARKING TO "F" COMMERCIAL DISTRICT FILED BY VELMIER CO., LLC TO ALLOW FOR CONSTRUCTION OF A RETAIL FACILITY

REFERRED TO THE MAYOR AND THE PLANNING BOARD

4. Z-04-97, 1901, 1919 S. MLK BLVD, 1025, 1029, 1037 W. MT. HOPE, & 1028, 1032, 1036 LENORE AVE, PETITION FOR REZONING FROM "B" RESIDENTIAL DISTRICT, "F" COMMERCIAL DISTRICT

AND "J" PARKING DISTRICT TO "F" COMMERCIAL DISTRICT FILED BY VELMIER CO., LLC TO ALLOW FOR CONSTRUCTION OF A RETAIL FACILITY

REFERRED TO THE MAYOR AND THE PLANNING BOARD

5. PRD-01-97, PROPERTY LOCATED ON S. MLK BLVD. FROM HUGHES TO HAAG, PETITION FOR PLANNED RESIDENTIAL DEVELOPMENT FILED BY MARVIN L. VANEK OF 5722 LeBARON COURT, E. LANSING TO ALLOW FOR DEVELOPMENT OF 104 TOWNHOUSES FUNDED BY THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA) FOR RENT TO LOW-INCOME FAMILIES

REFERRED TO THE MAYOR AND THE PLANNING BOARD

6. LETTER FROM RICHARD & HELEN FISER OF 12100 S. CORK RD. REGARDING THE CITY COUNCIL AGENDA FOR FEBRUARY 10, 1997

RECEIVED AND PLACED ON FILE

7. LETTER FROM ATTORNEYS ON BEHALF OF DAVID MILLER REGARDING THEIR REQUEST FOR REIMBURSEMENT OF LEGAL FEES

RECEIVED AND PLACED ON FILE

8. LETTER IN OPPOSITION TO THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE FROM GENERAL MOTORS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

9. LETTERS AND POSTCARDS IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE FROM:

-EYDE COMPANY 4660 S. HAGADORN  
-GERALD O. DEAN 1622 DONORA ST.  
-HOWARD & REVA MARSH 4106 GLENWOOD  
-HELEN MARTENS 4105 GLENWOOD AVE.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

#### D. OTHER CITY RELATED MATTERS

THERE WERE NO OTHER CITY RELATED MATTERS.

#### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER LILLY WISHED HAPPY THIRD ANNIVERSARY TO HIS WIFE, JACKIE.

COUNCILMEMBER BAUER THANKED THE VOLUNTEERS FROM THE CAPITOL AREA UNITED WAY. SHE REPORTED THAT THE BOARD OF COUNTY COMMISSIONERS ADOPTED A RESOLUTION APPROVING THE DISTRICT LIBRARY AGREEMENT. THE NEXT STEP IS FOR THE AGREEMENT

TO GO TO THE STATE LIBRARIAN AND FOLLOWING THAT, THE APPOINTMENT OF THE LIBRARY BOARD, OF WHICH LANSING WILL MAKE TWO APPOINTMENTS. QUALIFIED, INTERESTED APPLICANTS CAN CALL THE MAYOR'S OFFICE AT 483-4141 FOR APPLICATIONS. THEN THE QUESTION OF A MILLAGE INCREASE TO SUPPORT THE DISTRICT WILL BE PLACED ON THE AUGUST PRIMARY ELECTION BALLOT. SHE THANKED HER COLLEAGUES ON THE INTERGOVERNMENTAL RELATIONS COMMITTEE FOR THE HARD WORK THEY HAVE PUT IN ON THE DISTRICT LIBRARY ISSUE.

COUNCILMEMBER JONES REPORTED THAT TODAY WAS THE OFFICIAL OPENING OF THE WASHINGTON PARK DOMED ICE RINK. HE THANKED INTERNAL AUDITOR, GREG KOESSEL FOR WORKING OUT THIS AGREEMENT WITH THE GREATER LANSING AMATEUR HOCKEY ASSOCIATION, AND URGED THE PUBLIC TO GET OUT AND TAKE ADVANTAGE OF THIS FACILITY.

COUNCILMEMBER LEEMAN THANKED KAREN SCHMIDT FOR PREPARING THE VIDEO TAPE OF THE DOMED ICE RINK AT WASHINGTON PARK THAT WAS AIRED DURING COUNCILMEMBER JONES' COMMENTS. HE SAID THAT TODAY'S FESTIVITIES WERE FUN, AND SUGGESTED THAT PEOPLE CALL THE RINK TO FIND OUT WHAT TIMES IT IS OPEN TO THE PUBLIC. HE THANKED COUNCILMEMBER BAUER AND LIZA ESTLUND-OLSON OF THE MAYOR'S OFFICE FOR THE TIME THEY HAVE PUT IN ON THE DISTRICT LIBRARY AGREEMENT.

COUNCILMEMBER ALLEN SAID THAT THE SOUTH SIDE COMMUNITY CENTER PROJECT IS MOVING FORWARD. THE LOCATION WILL BE AT THE SOUTH END OF WASHINGTON PARK. THE COMMITTEE WILL MEET TOMORROW AT 7:00 P.M. AT THE SCOTT HOUSE AND INTERESTED PARTIES SHOULD PLAN ON ATTENDING.

COUNCILMEMBER NOVAK STATED THAT, DUE TO PUBLIC OBJECTION TO HIS COMMENTS REGARDING THE CRIMINAL HISTORY, DRUG ABUSE, AND MEDICAL CONDITION OF MR. SWAN, HE OFFERS AN APOLOGY. POSSIBLY, HE SHOULD NOT HAVE BROUGHT THESE ISSUES UP, HOWEVER, IT IS STILL HIS BELIEF THAT COUNCIL SHOULD MAKE A CLEAR STATEMENT THAT THEY DO NOT BELIEVE THAT THE POLICE OFFICERS INVOLVED IN THIS DISPUTE MURDERED MR. SWAN.

COUNCILMEMBER BEAL SAID THAT SHE KNEW THAT SOME PEOPLE WOULD BE UNHAPPY WITH THE RESULTS OF THE PUBLIC SAFETY COMMITTEE'S INVESTIGATION OF THE MARCH FOR JUSTICE ISSUES. HOWEVER, EXPECTING THIS PART-TIME LEGISLATIVE BODY TO PERFORM THIS TYPE OF INVESTIGATION MAY NOT HAVE BEEN REALISTIC. THE COMMITTEE TRIED TO DO THEIR BEST AND SHE COMMENDED AND THANKED THEM FOR THEIR EFFORTS.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER CONGRATULATED THE LILLYS' ON THE OCCASION OF THEIR THIRD WEDDING ANNIVERSARY. HE ANNOUNCED A SPECIAL PROGRAM TO BE CONDUCTED

OUT OF THE SOUTH SIDE POLICE PRECINCT AND COMMUNITY CENTER BY THE MSU COLLEGES OF NURSING, AND OSTEOPATHIC MEDICINE TO PROVIDE COMMUNITY MEDICAL ASSESSMENT EXPERIENCE TO STUDENTS. HE THANKED KAREN ROBY, SPECIAL ASSISTANT TO THE ACTING DEAN OF THE COLLEGE OF OSTEOPATHIC MEDICINE FOR DEVELOPING THIS PROGRAM WHICH WILL BE A GOOD MODEL FOR THE OTHER NETWORK CENTERS.

**ADJOURNED 9:05 P.M.**

**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS FEBRUARY 24, 1997**

77

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION WAS OBSERVED AS A MOMENT OF  
SILENCE, AND THE PLEDGE OF ALLEGIANCE WAS LED BY  
COUNCILMEMBER BEAL

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY:

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER LILLY; INTRODUCTION OF  
AN ORDINANCE FOR Z-17-96, 1300 BLOCK TURNER  
STREET, AND SETTING OF A PUBLIC HEARING FOR  
MARCH 17, 1997

2. FROM COUNCILMEMBER NOVAK; A RESOLUTION IN  
SUPPORT OF STATE HOUSE BILL 4189

3. FROM COUNCILMEMBER BENAVIDES; TWO  
RESOLUTIONS APPROVING A LIQUOR LICENSE TRANSFER  
FOR THE RED RAIL

**SPECIAL CEREMONIES**

A. COUNCIL PRESIDENT BEAL, VICE PRESIDENT  
LEEMAN AND COUNCILMEMBER JONES PRESENTED A  
PLAQUE HONORING PAUL SCOTT. THIS PLAQUE WILL  
BE PLACED ON THE WALL ABOVE THE PUBLIC SIGN IN  
FORMS IN COUNCIL CHAMBERS.

**PUBLIC AND MAYOR'S COMMENTS  
ON LEGISLATIVE MATTERS**

**A. PUBLIC HEARINGS**

1. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER  
888, SECTION 888.11 FOR THE PURPOSE OF  
PROVIDING FOR A PAYMENT IN LIEU OF TAXES (PILOT)  
FOR SMOKE RISE LDH

REFERRED TO THE COMMITTEE ON DEVELOPMENT  
AND PLANNING

2. IN CONSIDERATION OF AN AMENDMENT TO REPEAL  
CHAPTER 280, ELECTED OFFICERS COMPENSATION  
COMMISSION, IN ITS ENTIRETY

REFERRED TO THE COMMITTEE OF THE WHOLE

3. IN CONSIDERATION OF AN AMENDMENT TO ADD A  
NEW CHAPTER, CHAPTER 280, COMPENSATION OF  
ELECTED OFFICIALS

ELLIOTT GLICKSMAN OF 1825 VASSAR DRIVE, MEMBER  
OF THE ELECTED OFFICERS COMPENSATION  
COMMISSION, SPOKE IN OPPOSITION TO THE  
ABOLISHMENT OF THIS COMMISSION. HE SAID THE  
PRESENT SYSTEM ALLOWS CITIZENS TO PARTICIPATE IN  
THE REVIEW OF THE SALARIES OF PUBLIC OFFICIALS.  
IT IS IMPORTANT TO KEEP THIS CONCEPT BECAUSE IT  
RECOGNIZES THE ISSUE OF GOVERNANCE. TO DO AWAY  
WITH THIS COMMISSION WOULD BE POLITICALLY  
INAPPROPRIATE.

LLOYD TEETS OF 116 E. ELM STATED THAT HE  
SUPPORTS THE ABOLISHMENT OF THE EOCC AS THEY  
DO NOT LISTEN TO CITIZEN INPUT.

ED SIMMER OF 2609 DIER STATED THAT HE FELT  
COUNCIL SHOULD APPROVE THEIR OWN SALARIES AS  
THEY SHOULD BE PAID \$35,000-\$40,000 PER  
YEAR AND THEY CURRENTLY MAKE LESS THAN A JANITOR  
AT OLDSMOBILE.

ROSEMARIE AQUILINA OF 1825 CHESTER ROAD,  
MEMBER OF THE EOCC, SAID THAT THE COMMISSION  
REVIEWS COMPARABLE SALARIES PAID STATEWIDE TO  
PART TIME CITY COUNCILMEMBERS TO AID IN MAKING  
THEIR RECOMMENDATION. SHE FEELS THE EOCC  
PRESERVES PUBLIC CONFIDENCE IN THE PROCESS AND  
ENSURES THAT SALARIES ARE FAIRLY AND EQUITABLY  
ESTABLISHED. SHE FEELS THAT COUNCIL SHOULD BE  
INSULATED FROM MAKING DECISIONS REGARDING THEIR  
OWN SALARIES; EVEN CONGRESS DOES NOT SET ITS  
OWN COMPENSATION.

DARNELL OLDHAM, SR. OF BERWICK DRIVE STATED  
THAT THE EOCC SHOULD REMAIN AS HE FEELS IT IS THE  
MOST HONEST AND FAIR MEANS OF SETTING PUBLIC  
OFFICIAL'S SALARIES.

ANDREW BRODY OF 1114 GLENN ST. ALSO FELT THAT  
THE EOCC SHOULD NOT BE ABOLISHED.

**B. LEGISLATIVE MATTERS**

STATE REPRESENTATIVE JOHN FREEMAN EXPLAINED  
HOUSE BILL 4189 REGARDING EARNED INCOME TAX  
CREDITS AND ASKED FOR COUNCIL'S SUPPORT.

LLOYD TEETS OF 116 E. ELM ASKED FOR AN

EXPLANATION OF THE SEWER TANK TRANSFER THIS EVENING. HE SAID THAT THE ABANDONED VEHICLE ORDINANCE IS A BAD ORDINANCE.

### COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

#### RESOLUTIONS

##### RESOLUTION #063

BY DEVELOPMENT AND PLANNING COMMITTEE

WHEREAS, THE CITY OF LANSING CONTINUES TO PROMOTE THE EFFORT TO IMPROVE NEIGHBORHOODS BY IMPROVING EXISTING HOUSING, PROMOTING HOME OWNERSHIP AND FACILITATING CONSTRUCTION OF NEW HOUSING IN THE CITY; AND

WHEREAS, PUBLIC ACT 147, 1992 OF THE STATE OF MICHIGAN, THE NEIGHBORHOOD ENTERPRISE ZONE ACT, WAS ENACTED TO ENCOURAGE NEW HOUSING CONSTRUCTION AND RENOVATION OF EXISTING HOMES IN OLDER ESTABLISHED CITIES IN THE STATE, INCLUDING THE CITY OF LANSING, BY ALLOWING COMMUNITIES TO GRANT TAX ABATEMENT ON SPECIFIC RESIDENTIAL PROPERTIES LOCATED WITHIN DISTRICTS DESIGNATED BY THE COMMUNITY; AND

WHEREAS, THE MAYOR HAS RECOMMENDED THREE (3) SITES THAT ARE PROPOSED FOR NEW DEVELOPMENT OF SINGLE FAMILY OR CONDOMINIUM USE AND FIVE (5) EXISTING NEIGHBORHOODS THAT ARE PROPOSED FOR REHABILITATION EFFORTS (AS EXHIBIT A ATTACHED); AND

WHEREAS, AS REQUIRED BY P.A. 147 OF 1992, THE CITY ASSESSOR AND EACH TAXING UNIT MUST BE NOTIFIED OF THE CITY'S INTENT TO ESTABLISH A NEIGHBORHOOD ENTERPRISE ZONE, NOTICE OF WHICH MUST BE RECEIVED NOT LESS THAN 60 DAYS PRIOR TO THE DESIGNATION OF A NEIGHBORHOOD ENTERPRISE ZONE;

WHEREAS, PRIOR TO ACTING ON THIS REQUEST, IT IS NECESSARY TO HOLD A PUBLIC HEARING ON THE ESTABLISHMENT OF A NEIGHBORHOOD ENTERPRISE ZONE NOT LESS THAN 45 DAYS AFTER NOTIFICATION OF THE TAXING UNITS; AND

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF LANSING HEREBY APPROVES TENTATIVE BOUNDARIES FOR THE PROPOSED NEIGHBORHOOD ENTERPRISE ZONE AS OUTLINED IN EXHIBIT A (ATTACHED); AND

NOW THEREFORE BE IT FURTHER RESOLVED THAT THE CITY CLERK BE REQUESTED TO NOTIFY THE CITY ASSESSOR AND EACH TAXING UNIT IN THE PROPOSED NEIGHBORHOOD ENTERPRISE ZONE OF THE CITY'S INTENT TO ESTABLISH A NEIGHBORHOOD ENTERPRISE ZONE; AND

BE IT FINALLY RESOLVED THAT A PUBLIC HEARING SHALL BE SCHEDULED AND THAT NOTICE OF SUCH HEARING SHALL BE PUBLISHED IN A PUBLICATION OF

GENERAL CIRCULATION OF SAID CITY, AND THAT THE CITY CLERK BE REQUESTED TO GIVE AT LEAST FORTY-FIVE (45) DAYS NOTICE OF SUCH HEARING.

BY COUNCILMEMBER LILLY:

CARRIED UNANIMOUSLY

#### EXHIBIT A

##### Rehabilitation Areas:

1. Kingsley South Neighborhood bordered by Michigan Avenue on the north, M.L. King Blvd. on the east, W. St. Joseph St. on the south and Jenison St. on the west.
2. P.L.A.C.E. Neighborhood bordered by Michigan Ave. on the North, Allen St. (both sides) on the east, Kalamazoo St. on the south and Clifford St. (both sides) on the west.
3. Potter/Walsh Neighborhood bordered by Main St. on the north, Clemens St. on the east, the Grand Trunk Railroad tracks on the south and Holmes St. on the west.
4. Shiawassee/Michigan Neighborhood bordered by Shiawassee St. on the north, M.L. King Blvd. on the east, W. Michigan Ave. on the south and Jenison St. on the west.
5. Pennsylvania Ave. bordered by Pennsylvania Ave. on the east, Pennsylvania Ave. on the west, East Grand River Ave. on the north, and I-496 on the south.

##### New Construction Areas:

1. 1300 Block of North Turner Street.
2. Parking Lot #2, the B-1 site in the 300 Block of N. Capitol Ave.
3. Excess BWL well site property located in the 5400 Block of Wexford Street.

#### RESOLUTION #064

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

SLU-1 0-96

510 W. WILLOW STREET  
RESIDENTIAL CARE FACILITY

WHEREAS, THE DIMENSIONS OF LIFE HAS REQUESTED A SPECIAL LAND USE PERMIT (SLU-1096) TO ESTABLISH A RESIDENTIAL CARE FACILITY IN THE EXISTING BUILDING AT 510 W. WILLOW TO HOUSE UP TO 45 WOMEN AND TO USE A PORTION OF THE FACILITY IN THE ASSESSMENT AND OUTPATIENT TREATMENT OF FAMILIES, SINGLE PARENTS, AND MEN. DIMENSIONS OF LIFE WILL PROVIDE A DRUG FREE LIVING ENVIRONMENT FOR INDIVIDUALS SUFFERING FROM THE DISEASE OF CHEMICAL DEPENDENCE. THE PROPERTY IS ZONED "C" RESIDENTIAL WHERE RESIDENTIAL CARE FACILITIES ARE PERMITTED SUBJECT TO OBTAINING A SPECIAL LAND USE PERMIT; AND

WHEREAS, THE PROPERTY HAS BEEN USED SINCE

1923 AS A RESIDENTIAL CARE FACILITY FOR ELDERLY WOMEN; AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING FOR THE SPECIAL LAND USE PERMIT ON DECEMBER 3, 1996, WHERE FRANK BLAKE REPRESENTING DIMENSIONS OF LIFE, SPOKE IN SUPPORT OF THE PETITION; SEVERAL LETTERS SUBMITTED BY OWNERS OF BUSINESSES AND RESIDENCES NEAR DIMENSIONS OF LIFE'S EXISTING LOCATION AT 3320 W. SAGINAW EXPRESSED THEIR SUPPORT FOR THE FACILITY THANKING THEM FOR THEIR GOOD MANAGEMENT OF THE FACILITY; TWO NEIGHBORS THAT LIVE ADJACENT TO THE SUBJECT SITE, HOWEVER, RAISED CONCERNS AS TO THE CHANGE IN THE TYPE OF RESIDENTS FROM OLDER TO YOUNGER WOMEN, TO VEHICULAR TRAFFIC AND NOISE, TO INSUFFICIENT PARKING SPACES, TO SAFETY, AND TO REDUCTION IN THE AMOUNT OF PRIVACY; AND A PETITION IN OPPOSITION WAS RECEIVED CONTAINING THE SIGNATURES OF 11 AREA RESIDENTS; AND

WHEREAS, THE PLANNING BOARD REVIEWED THE PETITION IN ACCORDANCE WITH CHAPTER 1282 OF THE ZONING CODE AND ON DECEMBER 17, 1996 UNANIMOUSLY (6-0) RECOMMENDED APPROVAL OF THE PETITION SUBJECT TO THE FOLLOWING CONDITIONS: APPROVAL IS SPECIFIC TO THE DIMENSIONS OF LIFE PROGRAM ONLY AS SPECIFIED IN THE APPLICATION; THE CLIENTELE WILL CONSIST OF A MAXIMUM OF 45 INPATIENT RESIDENTS, FIVE INTENSIVE OUTPATIENT CLIENTS AND SEVEN OUTPATIENT CLIENTS FOR ONE-HOUR APPOINTMENTS WITH THE UNDERSTANDING THAT THERE WOULD NOT BE AN INCREASE IN THE OUTPATIENT CLIENT NUMBERS GREATER THAN 25 PERCENT; AND THAT THE SITE BE IMPROVED BY PROVIDING 17 PARKING SPACES WITH 8 SPACES DESIGNATED FOR ADDITIONAL PARKING TO MEET FUTURE PARKING NEEDS; RELOCATION OF THE DUMPSTER AND SCREENING IT FROM ABUTTING RESIDENTIAL PROPERTIES; SHIFT THE ENTRANCE DRIVE FURTHER TO THE WEST TO ALLOW FOR BUFFERING TO BE ADDED BETWEEN THE HOME AT 500 W. WILLOW AND THE PARKING AREA; AND LANDSCAPE SCREENING OF THE SITE TO SCREEN ANY VIEWS OBJECTIONABLE TO ADJACENT NEIGHBORS OR TO INHIBIT TRESPASSING; AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON FEBRUARY 10, 1997; AND

WHEREAS, THE DEVELOPMENT AND PLANNING COMMITTEE OF CITY COUNCIL HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVES THE SPECIAL LAND USE REQUEST (SLU-10-96) BY THE DIMENSIONS OF LIFE TO ESTABLISH A RESIDENTIAL CARE FACILITY IN THE EXISTING BUILDING AT 510 W. WILLOW TO HOUSE UP TO 45 WOMEN AND TO USE A PORTION OF THE FACILITY IN THE ASSESSMENT AND OUTPATIENT TREATMENT OF FAMILIES, SINGLE PARENTS, AND MEN, WITH THE

FOLLOWING CONDITIONS:

1. SEVENTEEN PARKING SPACES SHALL BE DEVELOPED WITH A DESIGNATED AREA FOR AN ADDITIONAL EIGHT PARKING SPACES.
2. THE DUMPSTER WILL BE LOCATED AWAY FROM ABUTTING RESIDENTIAL PROPERTIES AND SHALL BE APPROPRIATELY BUFFERED FROM VIEW.
3. THE ENTRANCE DRIVE SHOULD BE MOVED AS FAR WEST AS POSSIBLE AWAY FROM THE ABUTTING RESIDENTIAL STRUCTURE AND BUFFERING ADDED BETWEEN THE HOME AND THE PARKING AREA.
4. LANDSCAPE SCREENING OF THE SITE SHALL BE DONE TO DEMARCATÉ PROPERTY LINES AND INHIBIT TRESPASSING. THE PLANNING OFFICE SHALL ALSO HAVE THE RIGHT TO REQUIRE ADDITIONAL LANDSCAPE SCREENING FOLLOWING IMPLEMENTATION OF THE INITIAL PLAN TO CORRECT ANY UNANTICIPATED BUFFERING NEEDS IN ORDER TO HELP THE FACILITY FIT WITHIN THE EXISTING NEIGHBORHOOD.

BE IT FURTHER RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

THE PROPOSED SPECIAL LAND USE IS HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND SURROUNDING USES. THE ACTUAL PHYSICAL STRUCTURE WILL NOT CHANGE AS A RESULT OF THIS PROPOSAL. SINCE THE PROPERTY HAS BEEN USED AS A RESIDENTIAL CARE FACILITY FOR UP TO 42 ELDERLY WOMEN, THIS PROPOSAL WILL RESULT IN A CHANGE IN THE TYPE OF RESIDENTS AND THEIR LENGTH OF STAY WHICH SHOULD NOT SIGNIFICANTLY EFFECT ADJACENT PROPERTIES, AND

THE PROPOSED SPECIAL LAND USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY, ONCE APPROPRIATE LANDSCAPE, SCREENING AND BUFFERING IS IN PLACE, AND

- THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTIES. THE DUMPSTER SHALL BE LOCATED AWAY FROM ABUTTING RESIDENTIAL PROPERTIES AND SHALL BE APPROPRIATELY BUFFERED FROM VIEW. THE ENTRANCE DRIVE SHOULD BE MOVED AS FAR WEST AS POSSIBLE AWAY FROM THE ABUTTING RESIDENTIAL STRUCTURE AND BUFFERING ADDED BETWEEN THE HOME AND THE PARKING AREA, AND
- THE PROPOSED SPECIAL LAND USE WILL NOT BE HAZARDOUS TO ADJACENT PROPERTIES. THE DIMENSIONS OF LIFE WILL SUPERVISE THIS FACILITY ON A 24 HOUR BASIS, AND
- THE PROPOSED SPECIAL LAND USE WILL NOT PLACE ANY DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITIES, AND

- THE PROPOSED SPECIAL LAND USE IS CONSISTENT WITH THE INTENT OF THE ZONING CODE AND OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN. SEVENTEEN PARKING SPACES SHALL BE DEVELOPED WITH A DESIGNATED AREA FOR AN ADDITIONAL EIGHT PARKING SPACES.

BE IT FINALLY RESOLVED THAT THIS SPECIAL LAND USE SHALL NOT BE EFFECTIVE AND/OR SHALL ONLY REMAIN IN EFFECT IF THE PETITIONER FULLY COMPLIES WITH THE CONDITIONS SET FORTH IN THIS RESOLUTION.

BY COUNCILMEMBER LILLY:

CARRIED UNANIMOUSLY

**RESOLUTION #065**  
PUBLIC IMPROVEMENT V  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE SUPPLEMENTARY SPECIAL ASSESSMENT ROLL B56, PUBLIC SERVICE # 46108, KNOWN AS THE 1995 SIDEWALK REPAIR. WHEREAS IT IS A MATTER OF PUBLIC NECESSITY TO REPAIR SIDEWALK IN FRONT OF AND ADJACENT TO, THE PROPERTIES DESCRIBED BELOW:

PROPERTY BENEFITTED: AN AREA BOUNDED BY HAZEL STREET, SOUTH STREET, PLATT STREET, AND EAST OF WASHINGTON AVENUE EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED. ALSO, THE AREA BOUNDED BY MOUNT HOPE AVENUE, FOREST AVENUE, CEDAR STREET AND DUNLAP STREET, WEST OF STABLER STREET AND HODGE AVENUE, EAST OF STABLER STREET EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

ROLL B56	ESTIMATED COST	ACTUAL COST	DIFFERENCE
SIDEWALK REPAIRS	\$46,891.20	\$46,389.30	(\$501.90)

AS RETURNED BY THE CITY ASSESSOR BE AND THE SAME IS HEREBY RATIFIED AND CONFIRMED, AND THAT THE MAYOR BE AND HEREBY IS DIRECTED TO AFFIX WITHIN TEN DAYS, HIS WARRANT DIRECTING THE CITY TREASURER TO REFUND TO ALL PERSONS WHO HAVE PAID SAID TAX AS ORIGINALLY ASSESSED THE PRO RATA AMOUNT OF DIFFERENCE AS SHOWN IN SAID SUPPLEMENTARY ROLL, AND COLLECT ALL UNPAID TAX AS SHOWN ON SAID ROLL 90 DAYS AFTER APPROVAL.

BY COUNCILMEMBER LEEMAN:

CARRIED UNANIMOUSLY

**RESOLUTION #066**  
BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

PUBLIC IMPROVEMENT II

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT I ADOPTED BY THIS COUNCIL, THE DIRECTOR OF PUBLIC SERVICE HAS COMPLETED THE PLANS AND SPECIFICATIONS AND FURNISHED THE FOLLOWING INFORMATION:

PROJECT TITLE: CAVANAUGH ROAD  
RECONSTRUCTION P.S.  
#67060 - PENNSYLVANIA  
AVENUE TO AURELIUS ROAD

PROPERTY BENEFITTED

CURB AND GUTTER: ALL LANDS FRONTING ON CAVANAUGH ROAD FROM THE RAILROAD TRACKS TO 70 METERS EAST OF AURELIUS ROAD, EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 330	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$3,230.85	\$52,176.15
OTHER COSTS	<u>\$797,820.96</u>	<u>0.00</u>
TOTAL COSTS	<u>\$801,051.81</u>	<u>\$52,176.15</u>

SOURCES OF FUNDING IMPROVEMENTS:

		ACCOUNT NUMBER
CITY SHARE OF C&G	\$3,230.85	202 453601 974100 50002
CITY SHARE OF OTHER COST	\$204,271.07	202 453601 974100 50002
S.T.P. SHARE OF COSTS	\$ 593,549.89	FEDERAL SHARE
ASSESSMENT ROLL # 330	\$52,176.15	404 933601 974100 12065

AND WHEREAS, THE COST OF OBTAINING THE EASEMENTS WILL BE ONE DOLLAR EACH FOR THE TEN EASEMENTS REQUIRED, FOR A TOTAL COST OF \$10 FOR OBTAINING EASEMENTS; AND

WHEREAS, UNDER A COOPERATIVE AGREEMENT, THE MICHIGAN DEPARTMENT OF TRANSPORTATION WILL ADVERTISE AND LET FOR BID THE SPECIFICATIONS FOR SAID PROJECT AS SUBMITTED BY THE DIRECTOR OF PUBLIC SERVICE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT THE ABOVE-MENTIONED PLANS, SPECIFICATIONS, ENGINEER'S ESTIMATE, AND OTHER PERTINENT INFORMATION REGARDING THIS PROJECT BE RECEIVED, APPROVED, AND PLACED ON FILE FOR PUBLIC INSPECTION; AND

BE IT FURTHER RESOLVED THE MAYOR IS HEREBY AUTHORIZED TO SIGN AN AGREEMENT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR

CONSTRUCTION OF SAID PROJECT; AND

BE IT FURTHER RESOLVED THE DIRECTOR OF PUBLIC SERVICE IS AUTHORIZED TO OBTAIN THE EASEMENTS REQUIRED FOR THE PROJECT; AND

BE IT FINALLY RESOLVED THE CITY ASSESSOR IS AUTHORIZED TO PREPARE THE SPECIAL ASSESSMENT INSTALLATION ROLL INFORMATION, BASED UPON THE BIDS TO BE RECEIVED AND OTHER RELATED COSTS OF CONSTRUCTION, AND RETURN THE ROLL INFORMATION TO THE CITY COUNCIL.

BY COUNCILMEMBER LEEMAN:

CARRIED UNANIMOUSLY

THE FOLLOWING ITEMS WERE PULLED FROM THE AGENDA AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS:

-PUBLIC IMPROVEMENT I, CURB & GUTTER AND DRAINAGE FACILITIES FOR SCHAFER RD. FROM NORTHRUP ST. TO MILLER RD.

-PUBLIC IMPROVEMENT I, CURB & GUTTER AND DRAINAGE FACILITIES FOR WIELAND ST. FROM MASSACHUSETTS AVE. TO VERMONT ST.

-PUBLIC IMPROVEMENT I, CURB & GUTTER AND STORM DRAINAGE FACILITIES FOR DORIS ST.

-PUBLIC IMPROVEMENT I, CURB & GUTTER AND SIDEWALK FOR MEL AVE. FROM WASHINGTON AVE. TO MANOR DR.

#### RESOLUTION #067

#### COMMITTEE ON PUBLIC SERVICES SIDEWALK RESOLUTION

WHEREAS, CHAPTER 1024.03 OF THE CODE OF ORDINANCES RECOGNIZES THAT THE REPAIR AND RECONSTRUCTION OF PUBLIC SIDEWALK IS A NECESSITY, AND

WHEREAS, THE COUNCIL IS IN THE PROCESS OF DETERMINING WHETHER IT IS A MATTER OF PUBLIC NECESSITY TO REPAIR SIDEWALK IN FRONT OF AND ADJACENT TO THE PROPERTIES DESCRIBED BELOW:

PROPERTIES BENEFITTED: THE AREA BOUNDED BY COOPER AVENUE, BOSTON BOULEVARD, HOLLY WAY, AND PLEASANT GROVE ROAD. EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

AND THAT THE CONSTRUCTION OF THESE IMPROVEMENTS KNOWN AS 1997 SIDEWALK REPAIR CONTRACT, P.S. 55046, MAY BE ORDERED.

NOW, THEREFORE, BE IT RESOLVED THAT THE FINANCE DIRECTOR BE DIRECTED TO ADVERTISE AND LET FOR BID, THE SPECIFICATIONS FOR SAID PROJECT AS SUBMITTED BY THE DEPARTMENT OF PUBLIC SERVICE.

BE IT FURTHER RESOLVED THAT THE COST OF THESE IMPROVEMENTS IS TO BE FINANCED BY SPECIAL ASSESSMENT TO THE BENEFITTED PROPERTY OWNERS, IF THE PROJECT IS CONSTRUCTED, AND THE CITY'S SHARE OF THE PROJECT SHALL BE PAID FROM FY97 SIDEWALK REPAIR FUNDS.

BE IT FINALLY RESOLVED THAT THE CITY ASSESSOR BE, AND IS DIRECTED TO PREPARE THE INFORMATION FOR A SPECIAL ASSESSMENT INSTALLMENT ROLL, BASED ON CONTRACT PRICES AND OTHER RELATED COSTS OF CONSTRUCTION, AGAINST SAID DESCRIBED LANDS IN ACCORDANCE WITH CHAPTER 1024.07 OF THE CODE OF ORDINANCES, AND RETURN SAME TO THE CITY COUNCIL.

BY COUNCILMEMBER LEEMAN:

CARRIED UNANIMOUSLY

#### RESOLUTION #068

#### BY THE COMMITTEE ON WAYS AND MEANS RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$75,000	1994 SEWER BONDS- CONTING. 594-453670- 992000-23800	
\$25,000	1994 SEWER BONDS ENG.-ALT. DISINFECTION 594-453670-743700- 23802	
\$100,000		1994 SEWER BONDS- ENG. FINAL TANKS 594- 453670-743700-23802

(CHANGE IN PROJECT SCOPE. ORIGINAL CONCEPT WAS TO RENOVATE EXISTING TANKS (6). DUE TO AGE AND CONDITION, IT HAS BEEN DETERMINED TO DEMOLISH EXISTING TANKS AND REPLACE WITH 2. ADDITIONAL FUNDING IS NEEDED FOR ENGINEERING TO ACCOMPLISH THIS. THE ALTERNATIVE DISINFECTION PROJECT COST LESS THAN ANTICIPATED.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$25,000	GENERAL FUND-FUND BALANCE 101-0-390001-0	RESIDENCY INCENTIVE PROGRAM 101-173901- 701666

(EXPANSION OF PROGRAM TO ENCOURAGE CITY EMPLOYEES TO BUY HOUSES IN THE CITY. ADDITIONAL FUNDING NEEDED DUE TO INITIAL PROGRAM SUCCESS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$71,500	CENTRAL GARAGE-VEHICLES 101-173150-978000-0	
\$8,750		SALARIES AND LONGEVITY 101-173150-702000-0

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$10,000		OVERTIME-SALARY 101-173150-708000-0
\$ 1,500		OVERTIME-HOURLY 101-173150-709000-0
\$ 3,000		MISC. & OPER. 101-173150-741000-0
\$10,000		ACCIDENT REPAIR 101-173150-746230-0
\$14,000		POLICE-FUEL 101-173151-742100-0
\$3,500		FIRE-FUEL 101-173152-742100-0
\$10,000		FIRE-REPAIR PARTS 101-173152-746210-0
\$ 4,000		ADMIN.-FUEL 101-173153-742100-0
\$ 7,000		ADMIN.-REPAIR PARTS 101-173153-746210-0

(RECLASSIFICATION PER JOB CONTENT COMMITTEE, EMERGENCY REPAIRS, PURCHASE OF SMALL HAND TOOLS AND SAFETY SUPPLIES,, ACCIDENT REPAIRS UNDER \$1,000 AND DEDUCTIBLES, INCREASES IN FUEL PRICES, AND INCREASED COSTS FOR FLEET MAINTENANCE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,000	CITY CLERK-OVERTIME SALARY 101-172400-	
\$5,500	MISC. & OPER. EXPENSES 101-172400-741000-0	
\$10,500		ADVERTISING AND PUBLISHING 101-172400-741500-0

(TO MOVE CODE OF ORDINANCES TO INTERNET THIS FISCAL YEAR. THIS WILL REDUCE THE FY 98 REQUEST.

BY COUNCILMEMBER JONES:

TO ADOPT ALL EXCEPT THE \$25,000 FOR THE RESIDENCY INCENTIVE PROGRAM

CARRIED UNANIMOUSLY

BY COUNCILMEMBER JONES:

TO ADOPT THE TRANSFER FOR THE RESIDENCY INCENTIVE PROGRAM

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 COUNCIL PRESIDENT BEAL DISSENTING

### RESOLUTION # 069

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, RESOLUTION #690 OF DECEMBER 17, 1990, REQUIRES THE ADMINISTRATION TO SUBMIT GOLF FEE RECOMMENDATIONS BY FEBRUARY 1 OF EACH YEAR SO THAT FEES MAY BE CONSIDERED FOR APPROVAL PRIOR TO PROGRAM IMPLEMENTATION; AND

WHEREAS, THE PARK BOARD REVIEWED THESE FEES AT THEIR DECEMBER 18, 1996, MEETING; AND THE MAYOR HAS SUBMITTED THESE FEES FOR REVIEW BY THE COUNCIL COMMITTEE ON WAYS AND MEANS:

ITEM	1996 FEE	1997 FEE
GROESBECK		
9 HOLES	\$8.50	\$8.50
18 HOLES	\$16.00	\$16.00
9 SENIOR	\$6.50	\$6.50
18 SENIOR	\$12.00	\$12.00
9 JUNIOR	\$6.50	\$6.50
18 JUNIOR	\$12.00	\$12.00
TWILIGHT	\$7.00	\$7.00
WAVERLY		
9 HOLES	\$7.00	\$7.50
9 SENIOR	\$5.00	\$5.50
9 JUNIOR	\$5.00	\$5.50
TWILIGHT	\$5.50	\$6.00
RED CEDAR		
9 HOLES	\$6.50	\$7.00
9 SENIOR	\$5.00	\$5.50
9 JUNIOR	\$5.00	\$5.50
TWILIGHT	\$5.00	\$5.50
SYCAMORE		
9 HOLES	\$5.00	\$5.50
9 SENIOR	\$4.00	\$4.50
9 JUNIOR	\$3.50	\$4.00
TWILIGHT	\$3.75	\$4.25

### SENIOR PASS

GOLD-RESIDENT	\$425.00	\$375.00
GOLD-NON-RESIDENT	\$525.00	\$450.00
SILVER-RESIDENT	\$325.00	\$325.00
SILVER-NON-RESIDENT	\$375.00	\$375.00

GOLD PASS GOOD AT ALL OUR COURSES.

SILVER PASS GOOD AT RED CEDAR, SYCAMORE, AND WAVERLY.

### GAS CARTS

9 HOLES	\$9.00	\$10.00
1 RIDER ADD.	\$5.00	\$6.00

NOTE: GROESBECK FRONT 9 HOLES WILL BE CLOSED THIS SEASON. NO FEE INCREASE IS PROPOSED THIS SEASON BECAUSE OF POTENTIAL LOSS OF ROUNDS DUE TO CONSTRUCTION. THE SENIOR GOLD PASS IS REDUCED DUE TO THE FRONT 9 HOLES BEING CLOSED THIS SEASON. FEE FOR DEBT PAYMENT TO BE IMPLEMENTED SPRING 1998 UPON RE-OPENING.



THE NINE HOLE COURSE RATES INCLUDE A \$.50 CAPITAL IMPROVEMENT SURCHARGE.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL APPROVES THE 1997 FEES FOR GOLF; AND

BE IT FURTHER RESOLVED THAT THE \$.50 CAPITAL IMPROVEMENT SURCHARGE SHALL BE RESERVED IN A SEPARATE ACCOUNT FOR THE SOLE PURPOSES OF FUNDING CAPITAL IMPROVEMENT PROJECTS OR PAYING DEBT SERVICE IN THE GOLF FUND.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #070**  
BY COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, HOUSE BILL 4189 PROPOSES TO CREATE A MICHIGAN EARNED INCOME TAX CREDIT; AND

WHEREAS, HOUSE BILL 4189 PROVIDES THAT ANY TAXPAYER QUALIFIED TO RECEIVE THE FEDERAL EARNED INCOME TAX CREDIT WILL RECEIVE A TAX CREDIT FROM THE STATE OF MICHIGAN EQUAL TO TEN PERCENT OF THE FEDERAL CREDIT; AND

WHEREAS, THIS BILL WILL HELP POOR WORKING FAMILIES STATEWIDE AND SERVE AS A WORK INCENTIVE FOR THOSE FAMILIES RECEIVING PUBLIC ASSISTANCE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY EXPRESSES SUPPORT FOR HOUSE BILL 4189 AND ENCOURAGES ITS PASSAGE BY THE STATE LEGISLATURE.

BY COUNCILMEMBER NOVAK:

CARRIED UNANIMOUSLY

**RESOLUTION #071**  
BY COUNCILMEMBER BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, SUSAN K. HARRINGTON HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF A 1996 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED IN ESCROW AT 3323 NORTH EAST STREET, FROM RED RAIL, INC., (ELIZABETH C. CHALMERS, SUCCESSOR TRUSTEE) (STEP II); AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT THE APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE CHAIRPERSON OF THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED

TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST FROM SUSAN K. HARRINGTON TO TRANSFER OWNERSHIP OF A 1996 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED IN ESCROW AT 3323 NORTH EAST STREET, FROM RED RAIL, INC., (ELIZABETH C. CHALMERS, SUCCESSOR TRUSTEE) (STEP II), IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES:

CARRIED UNANIMOUSLY

**RESOLUTION #072**  
BY COUNCILMEMBER BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, TAFA, INC. (STOCKHOLDER: THOMAS A. FATA, 1008 FITTING AVENUE, LANSING TOWNSHIP), HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF A 1996 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED IN ESCROW AT 3323 NORTH EAST STREET, FROM SUSAN K. HARRINGTON (STEP III); AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT THE APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE CHAIRPERSON OF THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST FROM TAFA, INC., TO TRANSFER OWNERSHIP OF A 1996 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED IN ESCROW AT 3323 NORTH EAST STREET, FROM SUSAN K. HARRINGTON (STEP III), IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES:

CARRIED UNANIMOUSLY

## INTRODUCTION OF ORDINANCES

### INTRODUCTION OF ORDINANCE AMENDING CHAPTER 1026, SECTION 1026.02 SPECIAL ASSESSMENTS

BY COUNCILMEMBER LEEMAN:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1026, SECTION 1026.02, FOR THE PURPOSE OF PROVIDING A ONE YEAR TIME LIMIT FOR

CIRCULATION OF OWNERSHIP PETITIONS FOR PUBLIC IMPROVEMENTS TO BE FUNDED THROUGH THE SPECIAL ASSESSMENT PROCESS, WAS INTRODUCED BY COUNCILMEMBER LEEMAN AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES.

#### RESOLUTION #073

#### RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER LEEMAN:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, MARCH 17, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1026, SECTION 1026.02 FOR THE PURPOSE OF PROVIDING A ONE YEAR TIME LIMIT FOR CIRCULATION OF OWNERSHIP PETITIONS FOR PUBLIC IMPROVEMENTS TO BE FUNDED THROUGH THE SPECIAL ASSESSMENT PROCESS

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-17-96, 1301 BLOCK TURNER STREET, "H"  
LIGHT INDUSTRIAL DISTRICT TO "DM-3"  
RESIDENTIAL DISTRICT

#### RESOLUTION # 074

BY COUNCILMEMBER LILLY

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, MARCH 17, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-17-96, 1301 BLOCK TURNER STREET, "I-F"  
LIGHT INDUSTRIAL DISTRICT TO "DM-3"  
RESIDENTIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### PASSAGE OF ORDINANCES

BY COUNCILMEMBER ALLEN:

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER ALLEN:

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON PUBLIC SAFETY:

BY COUNCILMEMBER ALLEN:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTION 1460.04(23), 1460.21, 1460.22 AND 1460.30 FOR THE PURPOSE OF CHANGING THE TERM MOTOR VEHICLES CONTAINED IN THE DEFINITION OF PUBLIC NUISANCE TO ABANDONED/DISABLED MOTOR VEHICLES AS DEFINED IN SECTION 1460.30; INCLUDING ABANDONED/DISABLED MOTOR VEHICLES AS A CONDITION RENDERING PREMISES SUBSTANDARD AND TO PROVIDE FOR NUISANCE ABATEMENT OF ABANDONED/DISABLED MOTOR VEHICLES; PROVIDING FOR NOTICE OF VIOLATION FOR ABANDONED/DISABLED MOTOR VEHICLES; CHANGING THE TERM DISABLED MOTOR VEHICLES TO ABANDONED/DISABLED MOTOR VEHICLES, AND TO DEFINE THE TERM ABANDONED/DISABLED MOTOR VEHICLE BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON PUBLIC SAFETY:

BY COUNCILMEMBER ALLEN:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTION 1460.04(23), 1460.21, 1460.22 AND 1460.30 FOR THE PURPOSE OF CHANGING THE TERM MOTOR VEHICLES CONTAINED IN THE DEFINITION OF PUBLIC NUISANCE TO ABANDONED/DISABLED MOTOR VEHICLES AS DEFINED IN SECTION 1460.30; INCLUDING ABANDONED/DISABLED MOTOR VEHICLES AS A CONDITION RENDERING PREMISES SUBSTANDARD AND TO PROVIDE FOR NUISANCE ABATEMENT OF ABANDONED/DISABLED MOTOR VEHICLES; PROVIDING FOR NOTICE OF VIOLATION FOR ABANDONED/DISABLED MOTOR VEHICLES; CHANGING THE TERM DISABLED MOTOR VEHICLES TO ABANDONED/DISABLED MOTOR VEHICLES, AND TO DEFINE THE TERM ABANDONED/DISABLED MOTOR VEHICLE, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

ORDINANCE # 963

AN ORDINANCE TO AMEND CHAPTER 1460 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, BY AMENDING SECTION 1460.04(23) FOR THE PURPOSE OF CHANGING THE TERM "MOTOR VEHICLES" CONTAINED IN THE DEFINITION OF "PUBLIC NUISANCE" TO "ABANDONED/DISABLED MOTOR VEHICLES AS DEFINED IN SECTION 1460.30"; BY AMENDING SECTION 1460.21 FOR THE PURPOSE OF INCLUDING ABANDONED/DISABLED MOTOR VEHICLES AS A CONDITION RENDERING PREMISES SUBSTANDARD AND TO PROVIDE FOR NUISANCE ABATEMENT OF ABANDONED/DISABLED MOTOR VEHICLES; BY AMENDING SECTION 1460.22(b) FOR THE PURPOSE OF PROVIDING FOR NOTICE OF VIOLATION FOR ABANDONED/DISABLED MOTOR VEHICLES; AND BY AMENDING SECTION 1460.30 FOR THE PURPOSE OF CHANGING THE TERM "DISABLED MOTOR VEHICLES" TO "ABANDONED/DISABLED MOTOR VEHICLES", AND TO DEFINE THE TERM "ABANDONED/DISABLED MOTOR VEHICLE".

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT SECTION 1460.04(23) OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, BE AMENDED TO READ IN ITS ENTIRETY AS FOLLOWS:

(23) "PUBLIC NUISANCE" MEANS THE FOLLOWING:

A. ANY PUBLIC NUISANCE KNOWN AT COMMON LAW OR IN EQUITY;

B. ANY ATTRACTIVE NUISANCE IN A BUILDING OR ON A PREMISES WHICH MAY PROVE DETRIMENTAL TO CHILDREN. THIS INCLUDES, BUT IS NOT LIMITED TO, ANY ABANDONED WELLS, SHAFTS, BASEMENTS OR EXCAVATIONS; REFRIGERATORS, OR ABANDONED/DISABLED MOTOR VEHICLES AS DEFINED IN SECTION 1460.30; STRUCTURALLY UNSOUND FENCES OR STRUCTURES; OR LUMBER, TRASH, DEBRIS, TREES OR VEGETATION WHICH MAY PROVE A HAZARD FOR MINORS;

C. WHATEVER IS DANGEROUS TO HUMAN LIFE OR IS DETRIMENTAL TO HEALTH;

D. OVERCROWDING A ROOM WITH OCCUPANTS AS DEFINED IN THE UNIFORM BUILDING CODE;

E. INSUFFICIENT VENTILATION OR ILLUMINATION AS SPECIFIED IN SECTIONS 1460.14 AND 1460.17(c);

F. INADEQUATE OR UNSANITARY SEWAGE OR PLUMBING FACILITIES AS SPECIFIED IN SECTION 1460.15;

G. UNCLEANLINESS, AS DETERMINED BY THE COUNTY HEALTH OFFICER;

H. WHATEVER RENDERS AIR, FOOD OR DRINK UNWHOLESOME OR DETRIMENTAL TO THE HEALTH OF HUMAN BEINGS, AS DETERMINED BY THE HEALTH OFFICER; AND

I. ANY CONDITION IN VIOLATION OF SECTION 1460.21.

SECTION 2. THAT SECTION 1460.21 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, BE AMENDED TO READ IN ITS ENTIRETY AS FOLLOWS:

1460.21 HAZARDOUS OR UNSANITARY PREMISES

(A) IN GENERAL. ANY PREMISES OR PORTION THEREOF ON WHICH THERE EXISTS ANY OF THE FOLLOWING LISTED CONDITIONS SHALL BE DEEMED AND IS HEREBY DECLARED TO BE A SUBSTANDARD PREMISES:

(1) GROWTH OF GRASS AND/OR WEEDS EXCEEDING TWELVE INCHES IN HEIGHT;

(2) ACCUMULATION OF JUNK, DEBRIS, DEAD ORGANIC MATTER, GARBAGE, OFFAL OR RAT HARBORAGES;

(3) ABANDONED/DISABLED MOTOR VEHICLES IN WHOLE OR IN PART AS DEFINED IN SECTION 1460.30;

~~(3)~~ (4) ACCUMULATION OF COMBUSTIBLE MATERIAL OR OTHER FIRE HAZARD;

~~(4)~~ (5) EXISTENCE OF ANY PHYSICAL HEALTH HAZARD AS DETERMINED BY THE COUNTY HEALTH OFFICER OR THE BUILDING SAFETY DIRECTOR OR AS DEFINED AS SUCH BY STATUTE OR ORDINANCE;

~~(5)~~ (6) EXISTENCE OR MAINTENANCE OF ANY BUILDING OR STRUCTURE WHICH IS OPEN AT A DOOR OR WINDOW, LEAVING THE INTERIOR EXPOSED TO THE ELEMENTS OR ACCESSIBLE TO ENTRANCE BY TRESPASSERS; AND

~~(6)~~ (7) EXISTENCE OR MAINTENANCE OF AN ATTRACTIVE NUISANCE AS DEFINED IN SECTION 1460.04(23)(B).

(B) NUISANCES.

(1) ANY CONDITION, THE EXISTENCE OF WHICH CAUSES ANY PREMISES TO BE SUBSTANDARD, AS DEFINED IN THIS SECTION, IS HEREBY DECLARED TO BE A NUISANCE AND IS SUBJECT TO ABATEMENT PURSUANT TO SECTION 1460.22, COMMON LAW OR STATUTE. IF A VIOLATION OF PARAGRAPHS (A)(1) THROUGH (A)~~(5)~~(6) HEREOF IS NOT CORRECTED AFTER NOTICE IS GIVEN PURSUANT TO SECTION 1460.22, THEN THE CITY, THROUGH THE ~~DIRECTOR~~ MANAGER OF ~~BUILDING SAFETY~~ CODE COMPLIANCE, OR ITS CONTRACTED AGENT AT THE DIRECTION OF THE ~~DIRECTOR~~ MANAGER, MAY ENTER UPON THE PREMISES AND DESTROY, BY CUTTING, ANY GRASS OR WEEDS, OR REMOVE ANY ABANDONED/DISABLED VEHICLES IN WHOLE OR IN PART, OR ABATE ANY SUCH ~~HEALTH~~ HAZARD CONDITION.

(2) ANY EXPENSE, INCLUDING THE ADMINISTRATION COSTS TO THE CITY, INCURRED IN THE DESTRUCTION, REMOVAL OR ABATEMENT SHALL BE PAID BY THE OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS ON THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS.

(3) THE EXPENSE INCURRED SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY ON WHICH THE NUISANCE WAS LOCATED.

(4) THE OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORDS SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COSTS BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. IF HE OR SHE FAILS TO PAY THE SAME WITHIN THIRTY DAYS AFTER MAILING, BY THE CITY ASSESSOR, OF THE NOTICE OF THE AMOUNT THEREOF, THE CITY ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES BY THE CITY.

(5) ANY EXPENSE RELATED TO REMOVING ABANDONED/DISABLED VEHICLES WILL BE PAID AS SET FORTH IN THE MICHIGAN VEHICLE CODE, MCL 257.252 ET SEQ. ADMINISTRATION COSTS TO THE CITY INCURRED IN THE REMOVAL SHALL BE PAID AS SET FORTH IN SECTIONS 1460.21(B)(2) THROUGH 1460.21(B)(4).

(C) ENFORCEMENT. WHENEVER A PREMISES IS DETERMINED TO HAVE A CONDITION THAT CAUSES SUCH PREMISES TO BE A SUBSTANDARD PREMISES, IT SHALL BE DEEMED TO BE A VIOLATION OF SECTION 1460.09. THE CHIEF OF POLICE IS CHARGED WITH THE ENFORCEMENT OF SECTION 1460.21(A)(3) FOR ALL PROPERTIES WITHIN THE CITY OF LANSING AND MAY, FOR SUCH PURPOSES, DELEGATE ENFORCEMENT TO CODE COMPLIANCE OFFICERS.

SECTION 3. THAT SECTION 1460.22(B) OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, BE AMENDED TO READ IN ITS ENTIRETY AS FOLLOWS:

(B) NOTICE OF VIOLATION. THE DIRECTOR MANAGER SHALL ISSUE A WRITTEN NOTICE OF VIOLATION. IF THE NOTICE OF VIOLATION IS FOR A CONDITION THAT MAKES A PROPERTY A SUBSTANDARD PREMISES UNDER SECTION 1460.21, THE WRITTEN NOTICE SHALL BE DIRECTED TO EACH OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS ON THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS. IF THE NOTICE OF VIOLATION IS FOR SECTION 1460.21(3), THEN NOTICE SHALL BE GIVEN AS SET FORTH IN THE MICHIGAN VEHICLE CODE, MCL 257.252 ET SEQ. IF THE NOTICE OF VIOLATION IS FOR VIOLATION OF ANY SECTION OF THIS CHAPTER, EXCEPT SECTION 1460.21, THE WRITTEN NOTICE SHALL BE DIRECTED TO THE OWNER, AGENT OR LESSOR REGISTERED WITH THE ~~BUILDING SAFETY DIVISION~~ CODE COMPLIANCE AND, AT THE DISCRETION OF THE DIRECTOR MANAGER, TO ANY LESSEE OR OCCUPANT. IF NO OWNER, AGENT OR LESSOR HAS BEEN REGISTERED, THEN THE NOTICE SHALL BE DIRECTED TO EACH OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS ON THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS.

SECTION 4. THAT SECTION 1460.30 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, BE AMENDED TO READ IN ITS ENTIRETY AS FOLLOWS:

(A) ABANDONED/DISABLED MOTOR VEHICLES

REGULATED.

NO PERSON SHALL PERMIT ANY ABANDONED/DISABLED MOTOR VEHICLE, AS DEFINED, TO BE PARKED, PLACED, OR ALLOWED TO REMAIN WITHIN THE CITY OF LANSING, IN VIOLATION OF THE PROVISIONS OF THIS ORDINANCE. ( B )  
ABANDONED/DISABLED MOTOR VEHICLES DEFINED.

(I) FOR THE PURPOSES OF THIS ORDINANCE, AN ABANDONED/DISABLED MOTOR VEHICLE IS DEFINED AS A MOTOR VEHICLE WHICH IS DISMANTLED, IN WHOLE OR IN PART, AND/OR WHICH IS MECHANICALLY UNABLE TO OPERATE AS THE RESULT OF A MECHANICAL DEFECT OR MALFUNCTION. A MECHANICAL DEFECT OR MALFUNCTION INCLUDES, BUT IS NOT LIMITED TO, ONE OR MORE DEFLATED OR MISSING TIRES, OR A VEHICLE RESTING ON SUPPORTS OTHER THAN INFLATED TIRES. THE ABSENCE OF MINOR AND NON-ESSENTIAL PARTS SUCH AS ANTENNAS, OR ORNAMENTS, HUB CAPS, ETC., SHALL NOT CAUSE A VEHICLE TO BE DEEMED DISMANTLED AND THUS ABANDONED/DISABLED. ANY VEHICLE WHICH IS NOT CAPABLE OF BEING LICENSED FOR OPERATION ON THE RIGHTS OF WAY OF THE STREETS, ALLEYS, OR HIGHWAYS OF THE CITY SHALL BE DEEMED ABANDONED/DISABLED. (II) A VEHICLE WHICH IS MECHANICALLY UNABLE TO OPERATE IS PERMITTED TO BE STORED IN THE COMMERCIAL ZONED AREAS OF THE CITY WHERE THE PROPERTY OWNER OPERATES A LICENSED VEHICLE REPAIR SHOP AND THE PROPERTY HAS ALL ZONING APPROVALS NECESSARY. ALL VEHICLES STORED IN ACCORDANCE WITH THIS SECTION REGARDING LICENSED VEHICLE REPAIR SHOPS MUST BE STORED IN COMPLETELY ENCLOSED BUILDINGS OR BEHIND FENCES IN ACCORDANCE WITH THE ZONING DISTRICT IN WHICH THE PROPERTY IS LOCATED.

(C) PROHIBITED ON STREETS.

ABANDONED/DISABLED MOTOR VEHICLES SHALL NOT BE PERMITTED ON THE RIGHTS OF WAY OF THE STREETS, ALLEYS, OR HIGHWAYS OF THE CITY, PROVIDED, HOWEVER, THAT THIS PROHIBITION SHALL NOT APPLY TO THE TOWING OR SIMILAR TRANSPORTATION OF SUCH VEHICLES; AND PROVIDED FURTHER, THAT THE REASONABLE TIME (NOT TO EXCEED 48 HOURS FROM THE TIME OF DISABILITY) SHALL BE PERMITTED FOR THE REMOVAL OR SERVICING OF THE ABANDONED/DISABLED VEHICLE IN AN EMERGENCY CAUSED BY AN ACCIDENT OR SUDDEN BREAKDOWN OF THE VEHICLE.

(D) FRONT, SIDE OR REAR YARDS.

ABANDONED/DISABLED MOTOR VEHICLES OR ANY PARTS OF A MOTOR VEHICLE SHALL NOT BE PERMITTED IN THE FRONT, SIDE, OR REAR YARDS OF ALL PARCELS OF LAND IN THE CITY, UNLESS EXEMPT IN SECTION (B). ABANDONED/DISABLED MOTOR VEHICLES OR PARTS OF MOTOR VEHICLES MAY BE KEPT IN AN ENTIRELY ENCLOSED GARAGE OR OTHER ENTIRELY ENCLOSED STRUCTURES; PROVIDED, HOWEVER, THAT THE TEARING DOWN, STRIPPING OR JUNKING OF A MOTOR VEHICLE SHALL NOT BE PERMITTED.

SECTION 5. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR

RULES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 6. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 7. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY CITY COUNCIL.

BY COUNCILMEMBER ALLEN:

TO ADOPT THIS ORDINANCE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

### OTHER BUSINESS

MELANIE ROGERS OF 409 W. WILLOW SAID SHE AND HER HUSBAND RECEIVED A TICKET FROM DELORES FULLER OF THE BUILDING DEPARTMENT FOR FAILURE TO COMPLETE THE SIDING ON THEIR HOME. THEY HAVE BEEN GIVEN A VERY SHORT TIME FRAME TO DO SO. SHE IS UPSET THAT AFTER HAVING SPENT \$60,000 IN REPAIRS TO THIS HOME AND ANOTHER ONE IN THE AREA TO HAVE RECEIVED THIS TICKET.

LLOYD TEETS OF 116 E. ELM SAID THAT COUNCILMEMBER ALLEN SHOULD NOT DARE SAY THAT NO-ONE SPOKE IN OPPOSITION TO THE ORDINANCE ON ABANDONED VEHICLES AS HE HAS FREQUENTLY SPOKEN ON THIS ORDINANCE.

HELEN FISER OF 12100 S. CORK, MORRICE, SAID THAT THE MAYOR SHOULD NOT CONTINUALLY REFER TO THE CITY'S BONDING STATUS AS AN ISSUE IN THE ABOLITION OF THE STORMWATER ENTERPRISE FUND.

WILLIAM HUBBELL OF 3916 WEDGEWOOD DRIVE SAID THAT IF COUNCIL CAN TAKE A STAND ON HOUSE BILL 4189 WHY CAN'T THEY TAKE A STAND ON LIGHTING OF THE CAPITOL DOME?

DARNELL OLDHAM, SR. OF BERWICK DRIVE SAID IT HAS BEEN MORE THAN A YEAR SINCE THE MURDER OF EDWARD SWANS AND THEY HAVE RECEIVED NO JUSTICE. HE IS OFFENDED AND OUTRAGED BY COUNCILMEMBER NOVAK'S COMMENTS ON 2/17/97 WHEN HE WAS VICTIMIZING A VICTIM.

ALBERTA JORDAN, NO ADDRESS GIVEN, SAID THAT EDWARD SWANS WAS MENTALLY FIT TO BE DRAFTED. NO-ONE CARED ABOUT HIM WHEN HE RETURNED FROM VIET NAM.

REVEREND LESTER STONE STATED THAT HE WAS DISAPPOINTED THAT NONE OF THE COUNCILMEMBERS OR THE MAYOR ATTENDED TODAY'S PRAYER VIGIL. HE

REMAINS OUTRAGED AT COUNCILMEMBER NOVAK'S CHEAP SHOT LAST WEEK. HE ANNOUNCED THAT THE MARCH FOR JUSTICE WILL BE HAVING ANOTHER MARCH ON APRIL 26TH.

ROY CUNNINGHAM OF 645 E. JOLLY STATED THAT HE IS A VIET NAM VETERAN ON THE SAME MEDICATION AS EDWARD SWANS. HE SAID THAT COUNCILMEMBER NOVAK IS A VERY UGLY AND SICK MAN.

REVEREND ANDREW BRODY OF 1114 GLENN SAID THAT THE STORMWATER ORDINANCE IS ILLEGAL.

AMMAHAD SHEKARAKKI OF 902 WILLOW STATED THAT HE HOPES THE SATURDAY MEETINGS WITH THE MARCH FOR JUSTICE WILL CONTINUE IN GOOD FAITH. HE WAS ALSO UPSET WITH COUNCILMEMBER NOVAK'S COMMENTS OF LAST WEEK AS HE IS A VIET NAM VET.

### REPORTS FROM COUNCIL COMMITTEES

BY COUNCILMEMBER LILLY

THE THE FOLLOWING COMMITTEE REPORTS BE RECEIVED AND PLACED ON FILE WITH NO FURTHER ACTION NECESSARY BY CITY COUNCIL

CARRIED UNANIMOUSLY

#### RESOLUTION #075 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED A VERBAL REPORT ON ACQUISITIONS AND CONDEMNATIONS INITIATED BY THE DEVELOPMENT DIVISION AS PART OF THE SEVEN-BLOCK PLAN,

REPORTS AS FOLLOWS: THE COMMITTEE RECEIVED AN UPDATE FROM THE DEVELOPMENT MANAGER IN COMPLIANCE WITH THE SEVEN-BLOCK NEIGHBORHOOD DEVELOPMENT PLAN, ADOPTED AS CHAPTER 1222 OF THE CITY CODE. SECTION 1222.05, MONITORING OF DEVELOPMENT PLAN IMPLEMENTATION, REQUIRES COMMITTEES OF COUNCIL TO REVIEW SEVERAL ASPECTS OF THE PLAN. NO ACTION IS REQUIRED AT THIS TIME.

SIGNED: RICHARD J. LILLY, CHAIR  
SANDY ALLEN  
JOAN BAUER

#### RESOLUTION #076 REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SAFETY, TO WHOM WAS REFERRED A PROPOSED ORDINANCE TO AMEND CHAPTER 1460, HOUSING CODE, FOR THE PURPOSE OF CHANGING THE TERM MOTOR VEHICLES CONTAINED IN THE DEFINITION OF PUBLIC NUISANCE TO ABANDONED/DISABLED MOTOR VEHICLES AS DEFINED IN SECTION 1460.30; INCLUDING ABANDONED/DISABLED

MOTOR VEHICLES AS A CONDITION RENDERING PREMISES SUBSTANDARD AND TO PROVIDE FOR NUISANCE ABATEMENT OF ABANDONED/DISABLED MOTOR VEHICLES; AND CHANGING THE TERM DISABLED MOTOR VEHICLES TO ABANDONED/DISABLED MOTOR VEHICLES,

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE ORDINANCE BE ADOPTED.

SIGNED: SANDY ALLEN  
TONY BENAVIDES  
PAUL NOVAK

#### RESOLUTION #077

BY THE COMMITTEE ON PUBLIC SAFETY

TO WHOM WAS REFERRED: THE RECOMMENDATIONS FROM THE MARCH FOR JUSTICE REGARDING THE LANSING POLICE DEPARTMENT PROMOTION PROCESS.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE CITY COUNCIL MAKES THE FOLLOWING EXPRESSION OF INTENT REGARDING THE GOALS TO BE PURSUED IN THE UPCOMING CONTRACTUAL NEGOTIATIONS BETWEEN THE CITY OF LANSING AND THE CAPITOL CITY LODGE #141, FRATERNAL ORDER OF POLICE, NON-SUPERVISORY UNIT AND SUPERVISORY UNIT:

1. TO THE EXTENT THAT SENIORITY IS UTILIZED AS A COMPONENT OF PROMOTIONAL ASSESSMENTS WITHIN THE LANSING POLICE DEPARTMENT, THAT SUCH COMPONENT SHOULD BE DEEMPHASIZED;

2. THAT ONE OF THE COMPONENTS OF PROMOTIONAL ASSESSMENTS WITHIN THE LANSING POLICE DEPARTMENT SHOULD BE THE DEGREE OF RECORDED AND VERIFIED INSTANCES OF OFFICER MISCONDUCT.

#### RESOLUTION #078

REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, TO WHOM WAS REFERRED THE RECOMMENDATION FROM THE MAYOR TO PROCEED WITH THE PUBLIC IMPROVEMENT II FOR RECONSTRUCTION OF CAVANAUGH ROAD FROM AURELIUS ROAD TO PENNSYLVANIA AVENUE,

REPORTS AS FOLLOWS: THE COMMITTEE REPORTED THE P.I. II FOR ACTION. CONCERNS ABOUT GROWING TRAFFIC LOADS AND THE ALIGNMENT OF THE CAVANAUGH/DUNKEL INTERSECTION LED THE COMMITTEE TO REQUEST A TRAFFIC STUDY BE PERFORMED. AT A MINIMUM, THE STUDY SHOULD INCLUDE CAVANAUGH FROM DUNKEL TO AURELIUS, AND DUNKEL FROM JOLLY TO US 127 OR COLLINS. THE COMMITTEE ASKS THAT THE TRANSPORTATION ENGINEER PROVIDE AN ESTIMATED COMPLETION DATE FOR THE STUDY. THIS REPORT IS FOR INFORMATION ONLY, AND NO COUNCIL ACTION IS REQUIRED AT THIS TIME.

SIGNED: HAROLD LEEMAN, CHAIRPERSON  
HOWARD JONES  
RICK LILLY

#### RESOLUTION #079

REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, TO WHOM WAS REFERRED THE REFUSE CART PILOT PROGRAM CURRENTLY UNDERWAY WITHIN THE OPERATIONS AND MAINTENANCE DIVISION OF THE PUBLIC SERVICE DEPARTMENT,

REPORTS AS FOLLOWS: THE COMMITTEE RECEIVED A VERBAL UPDATE ON THE PILOT PROGRAM FROM JIM CAMPFIELD AND ROB MOYE OF THE O&M DIVISION. OF 2,000 CARTS PURCHASED FOR THE PILOT PROGRAM, 764 HAVE BEEN PLACED WITH RESIDENTS IN EIGHT NEIGHBORHOODS. TWO MARKETING MAILINGS HAVE BEEN SENT TO THE TARGET AREAS. OF THE CARTS IN USE, ABOUT 17 PERCENT ARE THE SMALL SIZE (21 GALLONS), ABOUT 39 PERCENT ARE THE MIDDLE SIZE (36 GALLONS), AND ABOUT 43 PERCENT ARE THE LARGE SIZE (65 GALLONS). THE STAFF IS HOPING TO PLACE THE REMAINING CARTS DURING THE PILOT PROGRAM. THE COMMITTEE REQUESTED THAT AN EVALUATION REPORT ON THE PILOT PROGRAM BE PREPARED FOR PRESENTATION DURING THE PUBLIC SERVICE DEPARTMENT'S FY98 BUDGET HEARING. THIS REPORT IS FOR INFORMATION ONLY, AND NO COUNCIL ACTION IS REQUIRED AT THIS TIME.

SIGNED: HAROLD LEEMAN, CHAIRPERSON  
HOWARD JONES  
RICK LILLY

#### REPORTS FROM CITY OFFICERS AND BOARDS

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

TRANSFER CLASS C OWNERSHIP:

RUDOLF STOBER TRUST, LINDA M. STOBER,  
SUCCESSOR TRUSTEE

STOBER'S BRAUHAUS, INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARDS AND AUTHORITIES

RECEIVED AND PLACED ON FILE

B. ENROLLED SENATE BILL NO. 1171, P. A.

440 OF 1996, PROVIDING FOR THE ISSUANCE OF NOT MORE THAN 50 LIQUOR LICENSES STATEWIDE

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

3. LETTER FROM THE CITY ATTORNEY RE: REQUEST FOR NON-PROFIT STATUS RECOGNITION RECEIVED FROM THE AUTISM SOCIETY OF MICHIGAN

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: PUBLIC SERVICE

REFERRED TO WAYS AND MEANS

B. LETTER FROM CONTI DEVELOPMENT CORPORATION PROVIDING AN UPDATE ON THE FAIRFIELD PLACE PROPERTY

RECEIVED AND PLACED ON FILE

C. LETTER OF APPRECIATION FROM JOY L. LUND TO WALT HOLDEN OF THE LANSING FIRE DEPARTMENT

RECEIVED AND PLACED ON FILE

#### **COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN:

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT JONES

CARRIED UNANIMOUSLY

1. STORMWATER ENTERPRISE FUND APPEAL FROM RON PREADMORE OF 4220 CHRISTIANSEN ROAD

REFERRED TO THE MAYOR

2. LETTER FROM BERNADINE YOUNG OF 2018 PROVINCIAL HOUSE DR. SUBMITTING APPLICATION FOR A NEW CLASS C LIQUOR LICENSE FOR A PROPOSED DEVELOPMENT IN OLD TOWN

REFERRED TO THE MAYOR AND THE COMMITTEE ON GENERAL SERVICES

3. CLAIM APPEAL SUBMITTED BY DON TOMANICA OF 11727 E. ANDRE DR. IN GRAND LEDGE

REFERRED TO THE CITY ATTORNEY AND GENERAL SERVICES

4. LETTER FROM UAW LOCAL 2256 IN SUPPORT OF A PUBLIC SERVICE DEPARTMENT PROPOSAL TO HIRE FOUR FULL TIME SOLID WASTE PACKER OPERATORS FOR

THE O&M DIVISION

REFERRED TO THE COMMITTEE OF THE WHOLE (BUDGET)

5. LETTER FROM WILLIAM B. ENGLISH OF 2810 WILSON OBJECTING TO PROVISIONS CONTAINED IN CHAPTER 624.03 OF THE CODE OF ORDINANCES

REFERRED TO THE MAYOR, CITY ATTORNEY, AND PUBLIC SAFETY

6. LETTER FROM THOMAS STANTON OF 701 MCKIM AVE. PROPOSING ALTERNATIVE FUNDING SOURCES FOR THE CSO PROJECT

REFERRED TO THE MAYOR AND PUBLIC SERVICES

7. POSTCARDS IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND RECEIVED FROM:

-MAX MARTENS OF 5022 CHRISTIANSEN  
-HELEN WOODREL OF 410 PARIS AVE.

REFERRED TO WAYS AND MEANS

#### **REMARKS BY COUNCILMEMBERS**

COUNCILMEMBER ALLEN ANNOUNCED THAT THE NEXT PUBLIC SAFETY COMMITTEE MEETING WITH THE MARCH FOR JUSTICE WILL BE HELD ON MARCH 8TH. SHE STATED HER CONCERNS THAT THE PRESIDENT IS NOT ALLOWING COUNCILMEMBERS ADEQUATE TIME TO MAKE COMMENTS AT THE MEETINGS. SHE ALSO EXPRESSED CONCERN THAT INVOCATIONS ARE NOT GIVEN AT MEETINGS.

COUNCILMEMBER LEEMAN ANNOUNCED THAT THERE WILL BE A SPECIAL PUBLIC SERVICES COMMITTEE MEETING THIS WEDNESDAY AT 11:30 A.M. TO DISCUSS SNOW REMOVAL PROBLEMS FROM LAST WEEK END.

COUNCILMEMBER BAUER CONGRATULATED EVA EVANS ON HER APPOINTMENT TO HEAD UP THE UNITED WAY CAMPAIGN FOR THE COMING YEAR. SHE ALSO OFFERED THANKS TO THE BLUE RIBBON COMMITTEE ON EDUCATION. SHE ANNOUNCED THAT YOUNG PEOPLE INTERESTED IN TEMPORARY WORK THIS SUMMER SHOULD CONTACT THE PARKS DEPARTMENT. SHE STATED THAT COUNCILMEMBER NOVAK IS A THOUGHTFUL, CARING INDIVIDUAL WITH A CONSISTENT RECORD OF SUPPORT ON HUMAN RIGHTS ISSUES AND THAT SHE WAS QUITE CONCERNED WITH THE TREATMENT HE HAS BEEN RECEIVING THE PAST TWO WEEKS.

COUNCILMEMBER LILLY STATED THAT, IN TRYING TO FIND OUT HOW MUCH THE CITY HAD PAID OUT TO THE CONSULTANT ON THE SEWER SEPARATION PROJECT, HE LEARNED THAT THE FINANCE DEPARTMENT'S COMPUTER SYSTEM HAS BEEN PURGED OF JOURNAL ENTRIES PRIOR TO 1993. HE FEELS THIS IS A SERIOUS PROBLEM AND HE WOULD LIKE THE WAYS AND MEANS

COMMITTEE TO LOOK INTO THIS POLICY.

COUNCILMEMBER JONES READ A LETTER FROM PUBLIC SERVICE DIRECTOR JADUN WHICH STATED THAT COUNCIL HAD NOT APPROVED MATCHING FUNDS FOR THE MICHIGAN AVENUE STREETScape PROJECT AND URGING RECIPIENTS TO LOBBY THEIR COUNCILMEMBERS FOR ACTION. THE LETTER INCLUDED THE COUNCIL AND HOME PHONE NUMBERS OF ALL OF THE COUNCILMEMBERS. HE ASKED WHAT HAPPENED TO THE FUNDS THAT WERE APPROVED BY THE COUNCIL ON AUGUST 21, 1996. HE STATED THAT HE DID NOT THINK MRS. JADUN'S ACTIONS WERE APPROPRIATE.

COUNCIL PRESIDENT BEAL STATED THAT SHE DOES NOT CONDONE OR PERMIT PERSONAL ATTACKS ON COUNCILMEMBERS AND WILL BE MORE DILIGENT IN THE FUTURE IN REMINDING THE PUBLIC WHEN THEY ARE OUT OF LINE. SHE SAID THAT SHE IS ALSO UPSET WITH THE LETTER SENT BY MRS. JADUN AND FEELS THAT IT IS COMPLETELY INAPPROPRIATE AND UNFAIR FOR HER TO LOBBY CITIZENS WITHOUT PRESENTING ALL OF THE FACTS. REGARDING THE ORDINANCE ELIMINATING THE EOCC, SHE STATED THAT COUNTY COMMISSIONERS HAVE SET THE SALARIES FOR ALL COUNTY OFFICIALS FOR SOME TIME AND IT WORKS QUITE WELL.

#### **REMARKS BY THE EXECUTIVE ASSISTANT TO THE MAYOR**

DAVID WIENER ASKED LENORA JADUN TO RESPOND TO SOME OF THE ISSUES RAISED AT TONIGHT'S MEETING.

MRS. JADUN REVIEWED THE WEEK END SNOW PLOWING EFFORTS AND SAID THAT SOME SALTING WAS DONE BUT WEATHER CONDITIONS WERE NOT CONDUCTIVE TO EFFECTIVE SALTING. SHE HAS ALSO BEEN HAVING DIFFICULTY OBTAINING SALT DUE TO THE VERY HEAVY DEMANDS FOR IT THIS WINTER. REGARDING THE MICHIGAN AVENUE STREETScape ISSUE, SHE SAID THAT AFTER THE GRANT WAS APPROVED AND BIDS CAME BACK, THEY WERE HIGHER THAN ANTICIPATED. THEY HAVE A REQUEST FOR ADDITIONAL FUNDING IN TO WAYS AND MEANS WHICH IS NEEDED TO COMPLETE THIS PROJECT.

DAVID WIENER SAID WE ALL NEED TO COME TOGETHER TO ACHIEVE THE DESIRED GOALS. HE SAID THAT ANYONE WHO LIVES IN THE PILOT PROGRAM AREA FOR REFUSE CARTS MAY CALL 483-4161 TO REQUEST A CART.

IN RESPONSE TO QUESTIONS RAISED BY COUNCILMEMBER LILLY, MR. WIENER PROVIDED THE FOLLOWING INFORMATION:

THE \$14,000 DELINQUENT STORMWATER ENTERPRISE FEE WAS NOT PAID PROMPTLY. THIS REPRESENTED A TOTAL OF ONLY 3.5% OF THE CITY FEE. THIS IS THE FIRST YEAR OF THE PROGRAM AND THIS TYPE OF PROBLEM WILL BE HANDLED BETTER IN

THE FUTURE.

THE \$500 SPENT FOR A CAKE WAS FOR A PARTY HOSTED BY JOHN ROCK, OLDSMOBILE CEO, AND WAS PAID THROUGH THE MAYOR'S COMMUNITY PROMOTION ACCOUNT. HE FEELS THAT THIS WAS AN APPROPRIATE USE OF THIS FUND. IT WAS A THANK YOU FOR OLDSMOBILE MAKING SUCH A LARGE COMMITMENT TO THE CITY.

MR. WIENER REPORTED THAT THE SISTER CITIES ANNUAL REPORT WILL BE AVAILABLE NEXT WEEK AND COPIES CAN BE OBTAINED FROM THE CITY CLERK'S OFFICE. A DELEGATION WILL BE VISITING US SOON FROM SANMING, CHINA. THEY ARE VERY INTERESTED IN DEVELOPING ECONOMIC TIES WITH LANSING AND IN BECOMING A SISTER CITY.

**ADJOURNED 9:26 P.M.**

**MARILYNN SLADE, CITY CLERK**





LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MARCH 3, 1997**

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CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, LEEMAN, LILLY, NOVAK

ABSENT: COUNCILMEMBER JONES

THE INVOCATION WAS OBSERVED AS A MOMENT OF SILENCE, AND THE PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMEMBER BEAL.

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LILLY: LETTER FROM DAVID O'LEARY, CHAIR OF THE BOARD OF COMMISSIONERS FOR THE BOARD OF WATER & LIGHT REGARDING A REQUEST FROM JOEL FERGUSON ON BEHALF OF CAPITOL ANNEX, LLC TO REACTIVATE THE AGREEMENT FOR THE SALE OF THE BOARD OF WATER & LIGHT OFFICE BUILDING AND ASSOCIATED PARKING LOT.

2. FROM COUNCILMEMBER LILLY: TWO (2) BUDGET TRANSFER REQUESTS FOR PHYSICAL RENOVATIONS TO THE LANSING POLICE DEPARTMENT DETENTION AREA.

3. FROM COUNCILMEMBER LEEMAN: FOUR (4) LETTERS REQUESTING REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE BY RICHARD M. FISER, HELEN M. FISER, HEATHER B. SHIFFMAN AND HOLLY E. FISER.

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

COUNCILMEMBER LEEMAN ANNOUNCED MEETING DATES FOR THE ELECTED OFFICERS COMPENSATION COMMITTEE.

COUNCILMEMBER ALLEN ANNOUNCED THAT THE PUBLIC SAFETY COMMITTEE WILL MEET SATURDAY, MARCH 8 TO DISCUSS THE MARCH FOR JUSTICE RECOMMENDATION FOR ESTABLISHMENT OF A CITIZEN'S REVIEW BOARD FOR THE LANSING POLICE DEPARTMENT.

MAYOR HOLLISTER ANNOUNCED HE WOULD ATTEND A PROGRAM FOR PAL BASKETBALL AT THE SOUTH PRECINCT ON TUESDAY, MARCH 4; A POLICE COMMUNITY RELATIONS MEETING WITH EVERETT HIGH SCHOOL STUDENTS ON THURSDAY, MARCH 6; MAKE VISITS TO LANSING'S HIGH SCHOOLS WITH POLICE CHIEF BOLES AND LANSING SCHOOLS SUPERINTENDANT RICHARD HALIK ON FRIDAY, MARCH 7; AND ATTEND AN ALL-DAY PAL BASKETBALL TOURNAMENT AT THE SOUTH PRECINCT ON SATURDAY, MARCH 8.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

LLOYD TEETS, 116 E ELM SAID HE IS GLAD TO SEE THE MEMORIAL REVIEW BOARD CAN NOW GET GOING. HE SAID THE ORDINANCE WAS LONG OVERDUE. COMMENTING ON THE NUMBER OF STORMWATER APPEALS, HE SAYS HE HOPES THE COUNCIL DOES AWAY WITH THE STORMWATER ORDINANCE.

RON JONES, 2818 STOCKMAN COURT REFERRED TO HIS STORMWATER APPEAL APPEARING ON THE AGENDA. HE SAYS HIS PROPERTY IS ONE FOOT BELOW STREET LEVEL, AND HE NEEDS RELIEF.

WILLIAM HUBBLE, 3916 WEDGEWOOD DR., ADVISED THE COUNCIL THAT HE IS SERVING AS CHAIR OF THE MEMORIAL REVIEW BOARD AND THAT THIS BOARD PLANS TO MEET ONCE A MONTH REGARDLESS OF WHETHER ACTION IS REQUIRED OR NOT.

**COUNCIL CONSIDERATION OF  
LEGISLATIVE MATTERS**

**RESOLUTIONS**

ITEM #VIII. A-1 (A), RESOLUTION BY THE COMMITTEE ON GENERAL SERVICES, AUTHORIZING AN APPROPRIATION OF COMMUNITY USE FUNDS FOR THE LANSING HOUSING FAIR, WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER BENAVIDES AND REFERRED BACK TO THE COMMITTEE ON GENERAL SERVICES

**RESOLUTION #080**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE MICHIGAN COMMUNITIES IN ACTION FOR DRUG-FREE YOUTH AT THE LANSING CENTER WHICH

CONVENED IN OCTOBER, 1996; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$1,460.00 TO ACCOUNT #101-173901-741200-0, FOR LANSING CENTER RENTAL COSTS.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #081**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED THE APPLICATION OF EVELYN KAY CAIN FOR AN EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 822 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING AS A QUALIFIED AND CERTIFIED MESSAGE THERAPIST, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE EXEMPTION APPLICATION OF EVELYN KAY CAIN FOR AN EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 822 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING AS A QUALIFIED AND CERTIFIED MESSAGE THERAPIST BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY APPROVES THE APPLICATION OF EVELYN KAY CAIN FOR AN EXEMPTION FROM THE REQUIREMENTS OF CHAPTER 822 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING AS A QUALIFIED AND CERTIFIED MESSAGE THERAPIST.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #082**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AUTISM SOCIETY OF MICHIGAN HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES AUTISM SOCIETY

OF MICHIGAN AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #083**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE RUDOLF STOBER TRUST, LINDA M. STOBER, SUCCESSOR TRUSTEE HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 812 E. MICHIGAN, LANSING, MICHIGAN FROM RUDOLF STOBER, ESTATE, LINDA M. STOBER, INDEPENDENT PERSONAL REPRESENTATIVE; AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT SAID APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST OF THE RUDOLF STOBER TRUST, LINDA M. STOBER, SUCCESSOR TRUSTEE TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 812 E. MICHIGAN, LANSING, MICHIGAN FROM RUDOLF STOBER ESTATE, LINDA M. STOBER, INDEPENDENT PERSONAL REPRESENTATIVE IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #084**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE STOBER'S BRAUHAUS, INC, HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 812 E. MICHIGAN, LANSING, MICHIGAN FROM RUDOLF STOBER TRUST, LINDA M. STOBER, SUCCESSOR TRUSTEE; AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT SAID APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING

CITY COUNCIL THAT THE REQUEST OF THE STOBER'S BRAUHAUS, INC., TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 812 E. MICHIGAN, LANSING, MICHIGAN FROM RUDOLF STOBER TRUST, LINDA M. STOBER, SUCCESSOR TRUSTEE IS HEREBY RECOMMENDED FOR APPROVAL.

WHEREAS, THE CITY CLERK HAS REPORTED THAT SAID APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICE HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST OF THE STOBER'S BRAUHAUS, INC., TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 812 E. MICHIGAN, LANSING, MICHIGAN FROM RUDOLF STOBER TRUST, LINDA M. STOBER, SUCCESSOR TRUSTEE IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #085**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, MELVIN JONES OF 1020 W. HILLSDALE, TO FILL AN AT LARGE POSITION ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HIS APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT MELVIN JONES BE APPOINTED TO THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR TERM TO EXPIRE IN JUNE, 2000.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #086**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, JOAN JACKSON-JOHNSON OF 2211 BARRITT STREET, TO FILL A WARD 1 POSITION ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HER

APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HER APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT JOAN JACKSON-JOHNSON BE APPOINTED TO THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR TERM TO EXPIRE IN JUNE, 1997.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #087**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, SUSAN ANDERSON OF 3200 LEAWOOD, TO FILL AN AT-LARGE POSITION ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HER APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HER APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT SUSAN ANDERSON BE APPOINTED TO THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR TERM TO EXPIRE IN JUNE, 1997.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #088**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, GENICE RHODES-REED OF 2114 TECUMSEH RIVER DR., TO FILL AN AT-LARGE POSITION ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HER APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HER APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT GENICE RHODES-REED BE APPOINTED TO THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR TERM TO EXPIRE IN JUNE, 1998.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #089**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, ROBERT J. EGAN OF 733 WEST SHIAWASSEE, TO FILL AN AT-LARGE POSITION ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HIS APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT ROBERT J. EGAN BE APPOINTED TO THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR TERM TO EXPIRE IN JUNE, 1999.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #090**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, JOHN R. HERNANDEZ OF 3211 TRAPPERS APT. 1-A, TO FILL A WARD 2 POSITION ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HIS APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT JOHN R. HERNANDEZ BE APPOINTED TO THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR TERM TO EXPIRE IN JUNE, 1998.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #091**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, ROGER N. POHL OF 2840 NORWICH, TO FILL A WARD 3 POSITION ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HIS APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT ROGER N. POHL BE APPOINTED TO THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR TERM TO EXPIRE IN JUNE, 1999.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #092**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, ANNE SMILEY OF 423 W. GRAND RIVER AVE., TO FILL A WARD 4 POSITION ON THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HER APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HER APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT ANNE SMILEY BE APPOINTED TO THE HUMAN RELATIONS AND COMMUNITY SERVICE BOARD FOR TERM TO EXPIRE IN JUNE, 2000.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**ITEM #VIII B 1 (A), RESOLUTION APPOINTING PHILIP W. ALDERFER TO THE HUMAN RELATIONS BOARD PULLED BY DIRECTION OF COUNCILMEMBER BENAVIDES, CHAIR OF GENERAL SERVICES AND DIRECTED FOR REFERRAL TO THE COMMITTEE ON PUBLIC SERVICES.**

**RESOLUTION #093**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON FEBRUARY 27, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED THE APPEAL OF SAMUEL BALDINO, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-151-522-818; COMMONLY KNOWN AS 836 1/2 EAST SHIAWASSEE STREET, LANSING, MICHIGAN.

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS HYDROLOGICAL INVESTIGATION OF PARCEL No. 3301-151-522-818 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF SAMUEL BALDINO WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED WITH RESPECT TO PARCEL No. 3301-151-522-818;

WHEREAS, THE OWNER OF PARCEL No. 3301-151-522-818 FAILED TO APPEAR AT THE SCHEDULED TIME TO PRESENT FACTS IN SUPPORT OF AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE;

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT

THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-151-522818 IS WARRANTED;

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

BE IT THEREFORE RESOLVED THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-151-522-818 NOT BE REDUCED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #094

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON FEBRUARY 27, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED THE APPEAL OF HAROLD BALMER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NOS. 3305-102-762-629 AND 3305-102-261-320; COMMONLY KNOWN AS 6324 AURELIUS ROAD AND AURELIUS ROAD, LANSING, MICHIGAN;

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS HYDROLOGICAL INVESTIGATION OF PARCEL NOS. 3305-102-762-629 AND 3305-102-261-320 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF HAROLD BALMER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED WITH RESPECT TO PARCEL NOS. 3305-102-762-629 AND 3305-102-261-320;

WHEREAS, THE OWNER OF PARCEL NOS. 3305-102-762-629 AND 3305-102-261-320 FAILED TO APPEAR AT THE SCHEDULED TIME TO PRESENT FACTS IN SUPPORT OF AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE;

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NOS. 3305-102-762-629 AND 3305-102-261-320 IS WARRANTED;

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

BE IT THEREFORE RESOLVED THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NOS. 3305-102-762-629 AND 3305-102-261-320 NOT BE REDUCED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

THE MOTION FOR PASSAGE OF THIS RESOLUTION  
WAS DEFEATED

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON FEBRUARY 27, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED THE APPEAL OF JEFFREY AND JULIA BAKER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-263-532-055; COMMONLY KNOWN AS WABASH ROAD, LANSING, MI;

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS HYDROLOGICAL INVESTIGATION OF PARCEL No. 3301-263-532-055 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF JEFFREY AND JULIA BAKER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED WITH RESPECT TO PARCEL No. 3301-263-532-055;

WHEREAS, THE COMMITTEE HEARD A PRESENTATION OF FACTS FROM THE OWNER OF PARCEL No. 3301-263-532-055 IN SUPPORT OF AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE;

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-263-532-055 IS WARRANTED;

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

BE IT THEREFORE RESOLVED THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-263-532-055 BE REDUCED BY 100%;

BE IT FURTHER RESOLVED THAT THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-263-532-055 BE EQUAL TO \$0.00.

BE IT FURTHER RESOLVED THAT ANY AMOUNT PAID BY JEFFREY AND JULIA BAKER AS THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.

3301-263-532-055 GREATER THAN \$0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER LILLY

TO AMEND THE RESOLUTION IN THE SIXTH PARAGRAPH TO REFLECT THAT THE FEE BE REDUCED BY 90%.

MOTION DEFEATED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, LILLY

NAYS: COUNCILMEMBERS BEAL, LEEMAN, NOVAK

ABSENT: COUNCILMEMBER JONES

BY COUNCILMEMBER BENAVIDES

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS SUBMITTED:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, LEEMAN, LILLY

ABSENT: COUNCILMEMBER JONES

#### RESOLUTION #095

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON FEBRUARY 27, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED THE APPEAL OF VERNON AND GRACE ANDREWS, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NOS. 3301-194-310-560, 3301-271-081-312 AND 3301-223-831-017; COMMONLY KNOWN AS CAMBRIDGE ROAD AND SOUTH PENNSYLVANIA AVENUE, LANSING, MI;

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS HYDROLOGICAL INVESTIGATION OF PARCEL NOS. 3301-194-310-560, 3301-271-081-312 AND 3301-223-831-017 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF VERNON AND GRACE ANDREWS WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED WITH RESPECT TO PARCEL NOS. 3301-194-310-560, 3301-271-081-312 AND 3301-223-831-017;

WHEREAS, THE OWNER OF PARCEL NOS. 3301-194-310-560, 3301-271-081-312 AND 3301-223-831-017 FAILED TO APPEAR AT THE SCHEDULED TIME TO PRESENT FACTS IN SUPPORT OF AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE;

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NOS. 3301-194-310-560, 3301-271-081-312 AND 3301-223-831-017 IS WARRANTED;

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

BE IT THEREFORE RESOLVED THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NOS. 3301-194-310-560, 3301-271-081-312 AND 3301-223-831-017 NOT BE REDUCED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #096

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON FEBRUARY 27, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED THE APPEAL OF ALLSTATE REALTY, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3305-092-512-534; COMMONLY KNOWN AS 301 EAST EDGEWOOD BLVD., LANSING, MI;

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS HYDROLOGICAL INVESTIGATION OF PARCEL No. 3305-092-512-534 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF ALLSTATE REALTY WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED WITH RESPECT TO PARCEL No. 3305-092-512-534;

WHEREAS, THE OWNER OF PARCEL No. 3305-092-512-534 FAILED TO APPEAR AT THE SCHEDULED TIME TO PRESENT FACTS IN SUPPORT OF AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE;

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-092-512-534 IS WARRANTED;

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

BE IT THEREFORE RESOLVED THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-092-512-534 NOT BE REDUCED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #097

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON FEBRUARY 27, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED THE APPEAL OF SAMUEL ADCOCK, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3305-101-760-329; COMMONLY KNOWN AS 6505 SOUTH PENNSYLVANIA AVENUE, LANSING, MI;

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS HYDROLOGICAL INVESTIGATION OF PARCEL No. 3305-101-760-329 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF SAMUEL ADCOCK WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED WITH RESPECT TO PARCEL No. 3305-101-760-329;

WHEREAS, THE OWNER OF PARCEL No. 3305-101-760-329 FAILED TO APPEAR AT THE SCHEDULED TIME TO PRESENT FACTS IN SUPPORT OF AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE;

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-101-760329 IS WARRANTED;

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT NO EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

BE IT THEREFORE RESOLVED THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-101-760-329 NOT BE REDUCED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

THE MOTION FOR PASSAGE OF THIS RESOLUTION  
WAS DEFEATED

BY GENERAL SERVICES COMMITTEE

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED APPEALS FOR RELIEF FROM THE 1996 STORMWATER FEE FILED BY SEVERAL RESIDENTS; AND

WHEREAS, THE COMMITTEE RECOMMENDS THAT THE APPEALS BE GRANTED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES THAT THE FOLLOWING STORMWATER FEE APPEALS BE GRANTED:

RONALD AND CARL JONES 2818 STOCKMAN ST.,  
PARCEL #3301-05-330-101-8

REX HELMS 6212 KENBROOK RD., PARCEL  
#3305-07-229-102-4

REX HELMS 0000 KENBROOK RD., PARCEL  
#3305-07-228-101-0

FRANCES HUNAUT WAYNE ST., PARCEL #3301-  
35-352-001-2

AND BE IT FURTHER RESOLVED THE CLERK IS REQUESTED TO FORWARD THIS RESOLUTION TO THE MAYOR FOR ACTION.

BY COUNCILMEMBER BENAVIDES

TO ATTACH AN AFFIRMATIVE ROLL TO THE RESOLUTION

DEFEATED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, LEEMAN, LILLY

ABSENT: COUNCILMEMBER JONES

#### RESOLUTION #098

BY THE COMMITTEE ON PUBLIC SAFETY:  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MANAGER OF CODE COMPLIANCE HAS REQUESTED SETTING OF PUBLIC HEARINGS ON PROPOSED ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED STRUCTURES AT SEVERAL ADDRESSES, AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS REVIEWED THE REQUEST AND CONCURS THAT PUBLIC HEARINGS SHOULD BE SET.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT PUBLIC HEARINGS BE SCHEDULED AND ANNOUNCED FOR 7:00 P.M. ON MONDAY, MARCH 24, 1997, IN THE 10TH FLOOR CHAMBERS OF CITY HALL, FOR THE PURPOSE OF

RECEIVING PUBLIC COMMENT ON PROPOSED ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED AND DANGEROUS STRUCTURES LOCATED AT:

230 S. HOSMER, PARCEL NO. 3301 15 302  
181 4, E 1/2 OF S 45.75 FT LOT 11 BLOCK 6  
GREEN OAK ADD

615 MANCHESTER, PARCEL NO. 3301 09 481  
061 8, LOT 9 BLOCK 3 ASSESSOR S PLAT NO  
32 REC L I P 13

1100 BEMENT, PARCEL NO. 3301 01 53 80  
261 5, LOT 9 BLOCK 9 LANSING IMPROVEMENT  
COMPANY S ADD

131 E. HOWE, PARCEL NO. 3301 04 251  
181 1, LOT 127 & 66 FT FORMER MER RR  
R/W LYING E, ADJACENT & PAR L TO E LY LINE  
LOT 127 SUPERVISOR S PLAT OF WALKER  
HEIGHTS NO. 1

AND BE IT FURTHER RESOLVED THE MANAGER OF CODE COMPLIANCE IS REQUESTED TO MAKE ALL REQUIRED NOTIFICATIONS REGARDING THESE HEARINGS.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #099

BY THE COMMITTEE ON PUBLIC SAFETY:  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MANAGER OF CODE COMPLIANCE HAS REQUESTED SETTING OF PUBLIC HEARINGS ON PROPOSED ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED STRUCTURES AT SEVERAL ADDRESSES, AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS REVIEWED THE REQUEST AND CONCURS THAT PUBLIC HEARINGS SHOULD BE SET.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT PUBLIC HEARINGS BE SCHEDULED AND ANNOUNCED FOR 7:00 P.M. ON MONDAY, MARCH 31, 1997, IN THE 10TH FLOOR CHAMBERS OF CITY HALL, FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON PROPOSED ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED AND DANGEROUS STRUCTURES LOCATED AT:

611 MANCHESTER, PARCEL NO. 3301 09 481  
051 9, LOT 8 EXC W 10 FT BLOCK 3  
ASSESSOR S PLAT NO 32 REC L I P 13

505 REGENT, PARCEL NO. 3301 15 480 101  
3, LOT 163 PAUL PARK ADD

1127 W. MT. HOPE, PARCEL NO. 3301 29  
202 261 3, LOT 8 BLOCK 31 ELMHURST NO 1  
SUB

1246 ALLEN, PARCEL NO. 3301 22 280 132  
5, LOTS 108 & 109 PARKVIEW LAND CO ADD

AND BE IT FURTHER RESOLVED THE MANAGER OF CODE COMPLIANCE IS REQUESTED TO MAKE ALL REQUIRED NOTIFICATIONS REGARDING THESE HEARINGS.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #100

BY THE COMMITTEE ON PUBLIC SAFETY:  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MANAGER OF CODE COMPLIANCE HAS REQUESTED SETTING OF PUBLIC HEARINGS ON PROPOSED ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED STRUCTURES AT SEVERAL ADDRESSES, AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS REVIEWED THE REQUEST AND CONCURS THAT PUBLIC HEARINGS SHOULD BE SET.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT PUBLIC HEARINGS BE SCHEDULED AND ANNOUNCED FOR 7:00 P.M. ON MONDAY, APRIL 7, 1997, IN THE 10TH FLOOR CHAMBERS OF CITY HALL, FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON PROPOSED ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED AND DANGEROUS STRUCTURES LOCATED AT:

631 S. FRANCIS, PARCEL NO. 3301 14 381  
071 4, LOT 68 BROWN S SUB OF A PART OF  
OUTLOTS A AND B OF SYNDERS ADD

522 W. OAKLAND, PARCEL NO. 3301 09 353  
101 5, E 25 FT OF W 90 FT LOT 7 BLOCK D  
SUB OF BLOCKS 26 & 27 ORIG. PLAT

733 WISCONSIN, PARCEL NO. 3301 08 483  
161 0, LOT 147 ENGLEWOOD PARK ADD

AND BE IT FURTHER RESOLVED THE MANAGER OF CODE COMPLIANCE IS REQUESTED TO MAKE ALL REQUIRED NOTIFICATIONS REGARDING THESE HEARINGS.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER BENAVIDES:

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER BENAVIDES:

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.



BY THE COMMITTEE ON GENERAL SERVICES:

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 285, SECTION 285.05 FOR THE PURPOSE OF PROVIDING THAT THE MEMORIAL REVIEW BOARD HOLD REGULAR MEETINGS ONCE A MONTH UNLESS IT HAS NO AGENDA ITEMS BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON GENERAL SERVICES:

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 285, SECTION 285.05 FOR THE PURPOSE OF PROVIDING THAT THE MEMORIAL REVIEW BOARD HOLD REGULAR MEETINGS ONCE A MONTH UNLESS IT HAS NO AGENDA ITEMS BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBER JONES

#### ORDINANCE NO. 964

AN ORDINANCE TO AMEND CHAPTER 285 OF THE CODE OF THE CITY OF LANSING BY AMENDING SECTION 285.05 TO PROVIDE THAT THE MEMORIAL REVIEW BOARD HOLD REGULAR MEETINGS ONCE A MONTH UNLESS IT HAS NO AGENDA ITEMS.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT SECTION 285.05 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, BE AMENDED TO READ AS FOLLOWS:

#### 285.05 MEETINGS.

THE MEMORIAL REVIEW BOARD SHALL HOLD REGULAR MEETINGS ONCE A MONTH UNLESS IT HAS NO AGENDA ITEMS, AND SHALL CONSIDER APPLICATIONS FOR A PUBLIC MEMORIAL ON THE AGENDA OF THE NEXT REGULAR MEETING OF THE MEMORIAL REVIEW BOARD, WHEN AN APPLICATION FOR NAMING OR RENAMING A PUBLIC MEMORIAL HAS BEEN FILED WITH THE CITY CLERK.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE

INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

#### OTHER BUSINESS

ELAINE WOMBOLDT, 4815 TRESSA DRIVE SPOKE AS PRESIDENT OF LEARNING DISABILITIES FAMILIES AND FRIENDS, INC. SHE SHARED HER ORGANIZATION'S GOALS AND ACCOMPLISHMENTS DURING THE PAST YEAR WITH THE CITY COUNCIL.

MELANIE ROGERS, 409 W WILLOW ST., SPOKE ABOUT DIFFICULTIES SHE AND HER HUSBAND ARE HAVING WITH BUILDING SAFETY AS THEY WORK TO FIX UP THEIR HOUSE. SHE SAYS HOMEOWNERS MAKING HOME IMPROVEMENTS SHOULD NOT BE TREATED AS CRIMINALS.

HELEN FISER, 12100 S CORK RD., MORRIS MI SAYS THERE IS NO WAY THE STORMWATER ORDINANCE CAN BE FIXED BY A PIECEMEAL APPROACH. SHE DOES NOT SUPPORT ESTABLISHMENT OF A HARDSHIP FUND.

DARNELL OLDHAM, SR., BERWICK DR. REMINDED EVERYONE OF EDWARD SWANS' DEATH ON FEBRUARY 2, 1996.

LOYD TEETS, 116 E ELM ST., APOLOGIZED FOR HIS ACTIONS AT THE FEBRUARY 24, 1997 COUNCIL MEETING. HE ALSO SPOKE IN SUPPORT OF COUNCILMEMBER LILLY'S INTERPRETATION OF THE STORMWATER ORDINANCE WHICH REQUIRES EVERYONE TO PAY.

ANDREW BRODIE, 1114 GLENN SAID HE OPPOSES ANY MICHIGAN AVENUE STREETSCAPE REPAIRS. HE SAID IT WOULD BE A WASTE OF TAXPAYERS' MONEY.

MARK EGGLESTON, 4001 HEATHGATE SAYS HE WANTS THE STORMWATER ORDINANCE REPEALED AND THAT CITIZENS IN THE 3RD WARD SHOULD CONTACT THEIR COUNCIL REPRESENTATIVE.

ALBERTA JORDAN, NO ADDRESS GIVEN, STRESSED THE IMPORTANCE FOR YOUNG PEOPLE TO BE AWARE OF WHAT IS GOING ON IN THEIR COMMUNITY. IN ORDER TO BRING ABOUT CHANGE, THEY SHOULD REGISTER AND EXERCISE THEIR RIGHT TO VOTE.

BERNIE MEISSNER, 635 LASALLE BLVD., SAID THE CIVIL RIGHTS ISSUE IS NOT OVER. HE SAYS THE VOTERS DEMONSTRATED IN THE LAST ELECTION THAT THEIR OPPOSITION TO A CIVIL RIGHTS ORDINANCE WAS DUE TO INCLUSION OF HOMOSEXUALS AS A SPECIAL CLASS. HE SAID COUNCIL SHOULD TAKE ACTION ON A NEW CIVIL RIGHTS ORDINANCE, REMOVING REFERENCES TO HOMOSEXUALS. HE ALSO FEELS CITY COUNCIL

SHOULD RESTORE PRAYER TO BEGIN COUNCIL MEETINGS AS OPPOSED TO A MOMENT OF SILENCE.

BOB EGAN, 733 W SHIAWASSEE, STATED THE VOTE FOR THE CIVIL RIGHTS ORDINANCE AS IT APPEARED ON THE BALLOT WAS ACTUALLY DEFEATED BY A VERY SMALL PERCENTAGE OF THE ELECTORATE. HE RECOMMENDS THAT COUNCIL RESPECT THE WILL OF THE PEOPLE AND LET THE CURRENT ORDINANCE STAND.

LLOYD CUNNINGHAM, 645 E JOLLY RD., APOLOGIZED FOR HIS ACTIONS AT THE FEBRUARY 24 MEETING. HE DEFENDED THE MARCH FOR JUSTICE AND INVITES OTHERS TO COME DOWN TO SPEAK. HE SAID HE WAS UPSET BECAUSE THE VIDEO FROM THE FEBRUARY 24 MEETING WAS NOT BROADCAST ON CHANNEL 28 OVER THE WEEKEND.

RON JONES, 2818 STOCKMAN CT., IN RESPONSE TO COUNCIL'S DENIAL OF HIS CLAIM FOR EXEMPTION FROM THE STORMWATER FEE SAYS IN THE FUTURE HE WILL CALL PUBLIC SERVICE TO COME PUMP OUT HIS YARD WHEN IT RAINS.

#### REPORTS OF COUNCIL COMMITTEES

##### RESOLUTION #101

##### REPORT OF COMMITTEE

##### BY THE COMMITTEE ON GENERAL SERVICES

TO WHOM WAS REFERRED: AN ORDINANCE TO AMEND CHAPTER 285 OF THE CODE OF THE CITY OF LANSING BY AMENDING SECTION 285.05 TO PROVIDE THAT THE MEMORIAL REVIEW BOARD HOLD REGULAR MEETINGS ONCE A MONTH UNLESS IT HAS NO AGENDA ITEMS.

REPORTS AS FOLLOWS: THAT SAID ORDINANCE AMENDMENT BE ADOPTED.

SIGNED: TONY BENAVIDES, CHAIR  
PAUL NOVAK, VICE-CHAIR  
JOAN BAUER, MEMBER

BY COUNCILMEMBER BENAVIDES.

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

ABSENT: COUNCILMEMBER JONES

##### RESOLUTION #102

##### REPORT OF COMMITTEE

THE COMMITTEE ON GENERAL SERVICES, WHO ARE REVIEWING THE STORM WATER ENTERPRISE FUND APPEALS,

REPORTS AS FOLLOWS: THE COMMITTEE FELT IT NECESSARY TO REVIEW THE POSSIBILITY OF SETTING-UP A UTILITY FUND TO HELP THOSE INDIVIDUALS WHO MAY NEED ASSISTANCE IN PAYING SUCH FEES AS THEIR STORM WATER BILL, SEWAGE BILL, ELECTRICITY BILL ETC. THE COMMITTEE RECOMMENDS THAT \$125,000.00 BE SET ASIDE IN A SPECIAL FUND FOR THOSE INDIVIDUALS WHO ARE HAVING HARDSHIP AND THAT THE MATTER BE REFERRED TO THE WAYS AND MEANS COMMITTEE FOR THEIR REVIEW AND RECOMMENDATION AND THAT THE MATTER JOINTLY BE REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS FOR THEIR CONSIDERATION OF THESE ISSUES WITH THE BOARD OF WATER AND LIGHT.

SIGNED: TONY BENAVIDES, CHAIRPERSON  
PAUL NOVAK  
JOAN BAUER

BY COUNCILMEMBER BENAVIDES

THAT THE REPORT OF THE COMMITTEE BE RECEIVED AND REFERRED TO THE WAYS AND MEANS COMMITTEE FOR ACTION.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

ABSENT: COUNCILMEMBER JONES

##### RESOLUTION #103

##### REPORT OF COMMITTEE

##### BY THE COMMITTEE ON PUBLIC SAFETY

TO WHOM WAS REFERRED: THE RECOMMENDATION FROM THE MARCH FOR JUSTICE ORGANIZATION OF ESTABLISHING AN ANNUAL POLICE/COMMUNITY RELATIONS CONFERENCE ON MAY 17, 1997.

REPORTS AS FOLLOWS: THE COMMITTEE SUPPORTS THE CONCEPT OF AN ANNUAL POLICE/COMMUNITY RELATIONS CONFERENCE, FINANCIAL SUPPORT TO BE PROVIDED. THE COMMITTEE HEREBY REFERS THIS MATTER TO THE CITY COUNCIL WAYS AND MEANS COMMITTEE TO REVIEW THE FUNDING FINANCIAL IMPACT PRIOR TO MAY OF 1997.

SIGNED: SANDY, ALLEN, CHAIR  
TONY BENAVIDES, VICE-CHAIR  
PAUL NOVAK, MEMBER

BY COUNCILWOMAN SANDY ALLEN

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND

UNEXCUSED FOR THIS VOTE)

ABSENT: COUNCILMEMBER JONES

### **CITY OFFICERS & BOARD REPORTS**

#### **1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:**

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

#### **2. LETTERS FROM THE MAYOR RE:**

(A) TRANSFER OF FUNDS: PLANNING & NEIGHBORHOOD DEVELOPMENT, LABOR RELATIONS, PARKS & RECREATION

REFERRED TO WAYS & MEANS

(B) BIOGRAPHICAL SUMMARY OF CAPTAIN JOHN M. BOUCHER, JR., UNITED STATES MARINE CORPS

RECEIVED AND PLACED ON FILE

(C) ANNUAL REPORT OF THE LANSING REGIONAL SISTER CITIES COMMISSION

REFERRED TO INTERGOVERNMENTAL AFFAIRS

(D) REQUEST FOR COMMUNITY USE FUNDS: CESAR CHAVEZ MEMORIAL DINNER (\$800)

REFERRED TO COMMITTEE ON GENERAL SERVICES

(E) LETTER FROM JOHN S. ANTHONY, JOHN ANTHONY FLORIST, REQUESTING COUNCIL TO RECONSIDER A CHANGE IN THEIR VOTE FOR MATCHING FUNDS FOR THE IMPROVEMENTS OF MICHIGAN AVENUE FROM LARCH STREET TO HOLMES STREET

REFERRED TO COMMITTEE ON WAYS & MEANS

(F) EAST MICHIGAN AVENUE STREETScape, PS 37063

REFERRED TO COMMITTEE ON WAYS & MEANS

(G) REPORT OF CITY OF LANSING DELINQUENT STORMWATER BILLS

REFERRED TO COMMITTEES ON PUBLIC SERVICES AND GENERAL SERVICES

(H) APPOINTMENT OF DERRICK QUINNEY TO THE ELECTED OFFICERS COMPENSATION COMMISSION

REFERRED TO COMMITTEE OF THE WHOLE

(I) LETTERS OF APPRECIATION TO THE LANSING POLICE DEPARTMENT

RECEIVED AND PLACED ON FILE (INFORMATIONAL COPY TO THE PUBLIC SAFETY COMMITTEE)

#### **(J) BRIEF SUMMARY OF THE CSO PROJECT**

REFERRED TO COMMITTEES ON PUBLIC SERVICES AND WAYS & MEANS

(K) TRANSFER OF FUNDS; LPD DETENTION FACILITY RENOVATION (2)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. LETTER FROM DAVID O'LEARY, CHAIR OF THE BOARD OF COMMISSIONERS OF THE BOARD OF WATER & LIGHT REGARDING A REQUEST FROM JOEL FERGUSON ON BEHALF OF CAPITOL ANNEX, LLC TO REACTIVATE THE AGREEMENT FOR THE SALE OF THE BOARD OF WATER & LIGHT OFFICE BUILDING AND ASSOCIATED PARKING LOT

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

### **COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM MICHAEL HARRIS ASKING FOR REVIEW OF HIS COMPLAINT

REFERRED TO THE MAYOR AND CITY ATTORNEY

2. LETTER FROM F.O.P. SUPERVISORS, F.O.P. NON-SUPERVISORS, F.O.P. 911 CENTER OPERATORS AND THE TEAMSTERS LOCAL 580 SUPPORTING THE CONCEPT OF A NEW FACILITY TO BE LOCATED IN THE 500 BLOCK OF EAST MICHIGAN AVENUE

REFERRED TO PUBLIC SAFETY COMMITTEE AND COMMITTEE OF THE WHOLE

3. LETTER FROM JANET CLARK, RETIRED & SENIOR VOLUNTEER PROGRAM, ASKING FOR FUNDING FOR A "FILE FOR LIFE"

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. REQUESTS FOR NON-PROFIT STATUS RECEIVED FROM:  
- MICHIGAN NATIONAL GUARD FAMILY FUND  
- MICHIGAN HERB ASSOCIATES

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5. NOTICE RECEIVED FROM CONSUMERS POWER

COMPANY OF A HEARING TO BE HELD ON MARCH 7, 1997 AT 9:00 A.M. REGARDING CASE NO. U-10244-R

RECEIVED AND PLACED ON FILE

6. LETTER FROM ELAINE WOMBOLDT, FOUNDER AND PRESIDENT OF LEARNING DISABILITIES, REQUESTING THAT SHE BE ALLOWED TO ADDRESS THE COUNCIL AT THE MARCH 3RD MEETING REGARDING THEIR THIRD ANNUAL "MAKE A DIFFERENCE DAY FOR LEARNING DISABILITIES" 5K WALK/RUN

RECEIVED AND PLACED ON FILE

7. LETTERS IN SUPPORT OF THE REPEAL OF ORDINANCE #925, STORMWATER ENTERPRISE FUND FROM:

- RICHARD & HELEN FISER 12100 S. CORK RD., MORRICE
- HEATHER R. SHIFFMAN P.O. Box 26072
- HOLLY E. FISER P.O. Box 26275

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

#### **MOTION OF EXCUSED ABSENCE**

COUNCILMEMBER LEEMAN MOVED TO EXCUSE COUNCILMEMBER JONES.

CARRIED UNANIMOUSLY

#### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER LILLY ANNOUNCED THERE WOULD BE A WAYS & MEANS COMMITTEE MEETING ON WEDNESDAY, MARCH 5 AT 3:00 P.M. HE ALSO ACKNOWLEDGED THE BIRTHDAYS OF COUNCIL PRESIDENT BEAL AND CITY ATTORNEY SMIERKA.

COUNCILMEMBER LEEMAN ADVISED THAT THE COMMITTEE ON PUBLIC SERVICES WILL MEET AT 11:30 A.M. ON WEDNESDAY, MARCH 5.

COUNCILMEMBER BEAL APOLOGIZED THAT CHANNEL 28 WAS UNABLE TO BROADCAST THE MEETING OF FEBRUARY 24 BECAUSE THE VIDEO WAS DEFECTIVE. SHE EXPRESSED HER UPSET WITH FELLOW COUNCIL MEMBERS JUMPING INTO THE FRAY ON RECENT SENSITIVE PERSONNEL MATTERS IN THE COUNCIL OFFICES. SHE ASSURED EVERYONE THAT THERE WERE NO VIOLATIONS OF THE OPEN MEETING ACT. SHE SAID THAT COUNCILMEMBER NOVAK OWES THE COUNCIL AN APOLOGY.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MAYOR'S EXECUTIVE ASSISTANT DAVID WIENER ANNOUNCED THAT THERE WOULD BE A SPECIAL CEREMONY AT THE MONDAY, MARCH 10TH COUNCIL MEETING AT WHICH A SISTER CITY AGREEMENT WILL BE

SIGNED WITH SANMING, FUJIAN, PEOPLE'S REPUBLIC OF CHINA.

**ADJOURNED 8:45 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MARCH 10, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE  
LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

APPROVAL FOR THE PRINTED COUNCIL PROCEEDINGS  
OF FEBRUARY 24, 1997

CARRIED UNANIMOUSLY

THE APPROVAL OF THE CITY COUNCIL  
PROCEEDINGS OF MARCH 3, 1997 WAS PULLED  
FROM THE AGENDA AT THE REQUEST OF THE CITY  
CLERK'S OFFICE

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER BENAVIDES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
APPROVING A WRECKER'S LICENSE FOR AMERICAN  
TOWING, CO.
2. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
APPROVING RECOGNITION OF NON-PROFIT STATUS FOR  
THE MICHIGAN HERB ASSOCIATION
3. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
APPROVING RECOGNITION OF NON-PROFIT STATUS FOR  
THE MICHIGAN NATIONAL GUARD FAMILY FUND
4. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
AUTHORIZING THE APPROPRIATION OF COMMUNITY USE  
FUNDS FOR CRISTO REY COMMUNITY CENTER TO BE  
USED FOR THE CESAR CHAVEZ MEMORIAL DINNER
5. FROM COUNCILMEMBER LILLY; A COMMITTEE  
REPORT RECOMMENDING THE ADOPTION OF Z-16-96,  
VACANT PROPERTY ON THE SOUTH SIDE OF THE 1200  
BLOCK OF W. JOLLY RD.

(LATE ITEMS WILL BE CONSIDERED DURING THE  
PORTION OF THE REGULAR MEETING TO WHICH  
THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

MAYOR HOLLISTER, ALONG WITH COUNCIL PRESIDENT  
BEAL SIGNED THE SISTER CITY AGREEMENT BETWEEN  
THE CITY OF LANSING AND SANMING, PEOPLE'S  
REPUBLIC OF CHINA. MARTHA FUJITA, DIRECTOR OF  
THE LANSING SISTER CITIES COMMISSION INTRODUCED  
MEMBERS OF THE DELEGATION FROM SANMING  
INCLUDING: MR. HUANG XIANMO, MR. LIU XIN, MR. LI  
JIARONG, MR. SUN HAIPING, MR. HUANG LAISHENG,  
MR. HUANG FAMO, MR. XU JIANSHAN, MR. HOU  
WENLONG, MISS XUYAN.

COUNCILMEMBER LEEMAN ANNOUNCED A CSO PROJECT  
INFORMATIONAL MEETING TO BE HELD ON MARCH 13,  
1997 AT 7:00 P.M. AT THE FOSTER COMMUNITY  
CENTER. HE ANNOUNCED THE EASTSIDE  
NEIGHBORHOOD ORGANIZATION "SPRING SOUPER" TO  
BE HELD THIS SATURDAY, MARCH 15, 1997 IN THE  
GYMNASIUM OF THE RESURRECTION CHURCH.

COUNCILMEMBER ALLEN REPORTED THAT BIDS HAVE  
BEEN LET FOR THE RECONSTRUCTION OF SEVERAL  
AREAS ON PENNSYLVANIA AVENUE. THIS WORK WILL BE  
DONE THIS SUMMER.

COUNCILMEMBER JONES ANNOUNCED THAT THE POLICY  
GOVERNING THE USE OF COMMUNITY CENTERS AND  
OTHER PARKS & RECREATION DEPARTMENT FACILITIES  
WILL BE REVIEWED BY THE WAYS AND MEANS  
COMMITTEE AT THEIR NEXT MEETING. THEY WILL  
DISCUSS THE FEES BEING CHARGED, AS WELL AS  
PRIORITIZATION FOR SCHEDULING OF ROOMS.

DAVID WIENER, EXECUTIVE ASSISTANT TO MAYOR  
HOLLISTER, ANNOUNCED THAT THE BRIDGE OVER S.  
CEDAR ST. BETWEEN ELM AND BAKER ST. WILL BE  
UNDER CONSTRUCTION BEGINNING TOMORROW AND  
GOING THROUGHOUT THE SUMMER. TRAFFIC WILL BE  
RESTRICTED TO ONE SOUTHBOUND LANE AND ONE  
NORTHBOUND LANE. PLEASE MAKE TRAVEL PLANS  
ACCORDINGLY.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

PUBLIC HEARINGS

THERE WERE NO PUBLIC HEARINGS

LEGISLATIVE MATTERS

LLOYD TEETS OF 116 E. ELM ST. STATED HIS

OPPOSITION TO THE SALE OF THE BOARD OF WATER & LIGHT BUILDING. THIS BUILDING SHOULD NOT BE CONSIDERED TO BE EXCESS PROPERTY. IT IS NECESSARY FOR THE OPERATION OF THE BOARD OF WATER & LIGHT. IT SHOULD TAKE A VOTE OF THE PEOPLE TO MAKE THE SALE OF THIS BUILDING POSSIBLE. HE REQUESTED A COMPLETE AUDIT OF THE CSO PROJECT BEFORE ANY MORE BONDS ARE ISSUED, OR ANY MORE MONEY IS SPENT.

BARBARA LUOMA OF 2500 RIVERSIDE CRT. SPOKE IN OPPOSITION TO THE PILOT FOR SILVERSTONE LDHA AND REQUESTED THAT COUNCIL DENY THIS REQUEST.

CITY ATTORNEY SMIERTKA EXPLAINED THE PARAMETERS SET FORTH BY THE MICHIGAN STATE HOUSING DEVELOPMENT ACT (MSHDA), AND THAT COUNCIL'S POWER TO DENY THESE TYPES OF REQUESTS ARE LIMITED UNDER THIS STATE LAW WHICH ALLOWS THESE TYPES OF BUSINESSES TO RECEIVE THIS ABATEMENT.

JERRY LUOMA OF 2500 RIVERSIDE CRT. SPOKE IN OPPOSITION TO THE PILOT FOR SILVERSTONE, LDHA.

C.D. RANDALL OF 2724 S. WAVERLY SAID THAT HE OWNS PROPERTY ACROSS THE STREET FROM THE SILVERSTONE DEVELOPMENT PROJECT. HE OPPOSES THE APPROVAL OF THIS TAX ABATEMENT.

REV. LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH SPOKE REGARDING THE TRANSFER OF FUNDS FOR THE RENOVATION OF THE LPD DETENTION AREA.

DARNELL OLDHAM, SR. OF 3915 BERWICK DR. SPOKE REGARDING THE RENOVATION OF THE LPD DETENTION AREA. HE STATED HIS SUPPORT FOR THIS PROJECT, HOWEVER, THE CITY SHOULD NOT THINK THAT THIS HEALS ALL OF THE ILLS CREATED BY THE DEATH OF EDWARD SWANS.

ALEXANDER BOLT OF 1230 REO RD. SPOKE IN OPPOSITION TO THE RESOLUTION AUTHORIZING THE ISSUANCE OF CSO BONDS. HE COMMENDED COUNCILMEMBER LILLY AND OTHER COUNCILMEMBERS WHO ARE OPPOSING THE 100% REFUNDS FOR THE STORMWATER ENTERPRISE FUND FEES.

## LEGISLATIVE MATTERS

### RESOLUTIONS

#### RESOLUTION #104

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ORDINANCE #888 ADOPTED JULY 11, 1994, ALLOWS FOR THE DISPOSITION OF BICYCLES WHICH ARE DEEMED SURPLUS BY THE LANSING POLICE DEPARTMENT; AND

WHEREAS, BY SUBSEQUENT RESOLUTION THE CITY COUNCIL DEFINED THE PROCEDURE FOR DISPOSING OF

THESE BICYCLES TO NON-PROFIT AGENCIES WITHIN THE CITY; AND

WHEREAS, THE CITY COUNCIL HAS RECEIVED REQUESTS FROM ADDITIONAL NON-PROFIT AGENCIES, AND HAS ALSO RECEIVED LISTS FROM THE QUARTERMASTER UNIT IDENTIFYING SURPLUS BICYCLES,

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE DISTRIBUTION OF BICYCLES DEEMED SURPLUS BY THE QUARTERMASTER UNIT OF THE LANSING POLICE DEPARTMENT IN THE COMMUNICATIONS DATED FEBRUARY 4, 1997, TO CATHOLIC SOCIAL SERVICES/ST. VINCENT HOME FOR CHILDREN; AND

BE IT FURTHER RESOLVED ANY BICYCLES FROM THIS LIST THAT ARE NOT PICKED UP BY THE ELIGIBLE NON-PROFIT AGENCIES BY MARCH 14, 1997, MAY BE DISPOSED OF BY THE QUARTERMASTER IN A MANNER CONSISTENT WITH STATE LAW AND THE CITY OF LANSING PURCHASING ORDINANCE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #105 BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

WHEREAS, CITY COUNCIL HAS RECEIVED A LETTER FROM THE CHAIR OF THE BOARD OF WATER AND LIGHT ASKING FOR THE COUNCILS COMMENTS CONCERNING A PROPOSAL PRESENTED TO THE BOARD BY CAPITOL ANNEX, L. L. C. TO "REACTIVATE" THE AGREEMENT FOR THE SALE OF THE BOARD OF WATER AND LIGHT OTTAWA STREET OFFICE BUILDING IN CONNECTION WITH THE PROPOSED DEVELOPMENT OF A STATE LEGISLATIVE OFFICE BUILDING ON THE SITE;

WHEREAS, THIS COUNCIL DEEMS IT TO BE TO THE ADVANTAGE OF THE CITY TO LOCATE A LEGISLATIVE OFFICE BUILDING EAST OF THE CAPITOL COMPLEX AND THUS SUPPORTS THE CONCEPT OF THE CONVERSION OF THE BOARD OF WATER AND LIGHT BUILDING INTO A STATE LEGISLATIVE OFFICE BUILDING;

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL IS SUPPORTIVE OF THE CONCEPT OF A. STATE LEGISLATIVE OFFICE BUILDING ON THE SITE OF THE BOARD OF WATER AND LIGHT'S OTTAWA STREET OFFICE BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COUNCIL FAVORABLY VIEWS THE EXECUTION OF A PURCHASE AGREEMENT BY THE BOARD OF WATER AND LIGHT WITH CAPITOL ANNEX L. L. C. FOR THE SALE OF THE BOARD OF WATER AND LIGHT BUILDING FOR USE AS A STATE LEGISLATIVE OFFICE BUILDING SUBJECT TO THE FOLLOWING:

A) THAT THE PURCHASE AGREEMENT HAVE AN EXPIRATION DATE NO LATER THAN SIX MONTHS FROM

THE DATE OF THIS RESOLUTION;

B) THAT CAPITOL ANNEX L. L. C. SHALL HAVE SECURED AN AGREEMENT WITH THE MICHIGAN HOUSE OF REPRESENTATIVES FOR THE LOCATION OF THEIR OFFICES IN THE BOARD OF WATER AND LIGHT BUILDING;

C) THAT THE PURCHASE AGREEMENT BE PLACED ON FILE WITH THE CITY CLERK AND A PUBLIC HEARING BE HELD CONSISTENT WITH THE CITY'S REAL PROPERTY ORDINANCES;

D) THAT THE BOARD OF WATER AND LIGHT PRESENT TO THE CITY COUNCIL PRIOR TO THE COUNCIL'S CONSIDERATION OF A PURCHASE AGREEMENT WITH CAPITOL ANNEX L. L. C. A PLAN FOR RELOCATION OF THE BOARD'S OFFICE BUILDING WHICH SHALL INCLUDE:

- 1 . PROPOSED SITE DRAWINGS;
- 2 - PLANS FOR ENHANCED CUSTOMER SERVICE;
- 3 . A RELOCATION TIME SCHEDULE; AND
- 4 . A FINANCIAL PRO FORMA OF RELOCATION AND NEW CONSTRUCTION COSTS.

BE IT FINALLY RESOLVED THAT THE CITY CLERK SEND A COPY OF THIS RESOLUTION TO THE BOARD OF COMMISSIONERS OF THE BOARD OF WATER AND LIGHT.

BY COUNCILMEMBER LILLY

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

BY COUNCILMEMBER NOVAK

TO AMEND THE RESOLUTION BY ADDING A FINAL PARAGRAPH TO READ AS FOLLOWS:

"BE IT FURTHER RESOLVED THAT THE CITY COUNCIL SHALL NOT SUPPORT ADDITIONAL EXTENSION OF THE PURCHASE AGREEMENT BEYOND THE EXPIRATION DATE REFERENCED ABOVE, AND EXPRESSES ITS INTENT THAT; SHOULD THE BOARD OF WATER & LIGHT OFFICE BUILDING SALE NOT BE CONSUMMATED BY THAT TIME, ANY ADDITIONAL PROPOSED SALES OF THE BUILDING SHALL BE COMPETITIVELY BID"

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 1 (COUNCILMEMBER NOVAK ASSENTING)

NAYS: 7

BY COUNCILMEMBER LILLY

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER JONES TO AMEND THE RESOLUTION BY ADDING A FINAL PARAGRAPH TO READ AS FOLLOWS:

'BE IT FURTHER RESOLVED THAT THE CITY COUNCIL EXPECTS REGULAR MONTHLY UPDATES REGARDING THE STATUS OF THE PROJECT TO BE FURNISHED TO THE INTERGOVERNMENTAL RELATIONS

COMMITTEE BY BOTH CAPITAL ANNEX L.L.C. AND THE BOARD OF WATER & LIGHT,

AND, TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

#### RESOLUTION #106

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
SALE OF 119 N. WASHINGTON SQUARE  
(CITY HALL ANNEX)

WHEREAS, THE CITY OF LANSING WISHES TO SELL THE CITY HALL ANNEX; AND

WHEREAS, THE POTENTIAL SALE AND DEVELOPMENT OF 119 N. WASHINGTON SQUARE WAS REVIEWED BY THE LANSING PLANNING BOARD UNDER THE PROVISIONS OF MICHIGAN PUBLIC ACT 285 OF 1931, WHO FOUND NO STRATEGIC PURPOSE IN RETAINING THE PROPERTY FOR PUBLIC USE, AND RECOMMENDED THAT IT BE SOLD FOR PRIVATE DEVELOPMENT AND RETURNED TO THE CITY TAX ROLLS AS PART OF THE CONTINUING GROWTH OF THE DOWNTOWN AREA; AND

WHEREAS THE CITY COUNCIL ALSO REVIEWED THE RECOMMENDATIONS OF THE PLANNING BOARD AND CONCURRED WITH THE PROPOSED SALE AND DEVELOPMENT OF THIS PROPERTY;

WHEREAS, SPIRIT OF DOWNTOWN LANSING, L.L.C. HAS MADE AN OFFER TO PURCHASE THE CITY HALL ANNEX FOR \$950,000.00; AND

WHEREAS, IN ACCORDANCE WITH THE LANSING CITY CHARTER, ARTICLE 8, CHAPTER 4, AND SECTION 208.08 OF THE LANSING CODE OF ORDINANCES THE OFFER MUST BE PLACED ON FILE IN THE OFFICE OF THE CITY CLERK FOR A THIRTY (30) DAY PERIOD, AND A PUBLIC HEARING ON THE PROPOSED SALE OF THE PROPERTY HELD BEFORE THE CITY COUNCIL SUBSEQUENT TO THAT TIME; AND

WHEREAS, THE OFFER WAS PLACED ON FILE IN THE CITY CLERK'S OFFICE ON WEDNESDAY, DECEMBER 18, 1996;

NOW, THEREFORE, BE IT RESOLVED, THAT A PUBLIC HEARING SHALL BE HELD ON MONDAY, MARCH 24, 1997, TO CONSIDER THE SALE OF THE FOLLOWING PROPERTY:

THE NORTH 46 FEET OF THE SOUTH 90 FEET OF LOTS 1 AND 2, BLOCK 101, ORIGINAL PLAT; ALSO THE NORTH 46.12 FEET OF LOTS 1 AND 2, BLOCK 101, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN; ALSO THAT PART OF VACATED OTTAWA STREET, COMMENCING AT THE NORTHEAST CORNER OF LOT 1; THENCE NORTH .25 FEET; THENCE WEST 132 FEET; THENCE SOUTH .25 FEET; THENCE EAST 132

FEET TO BEGINNING.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION # 107**

CITY OF LANSING

COUNTIES OF INGHAM AND EATON,

STATE OF MICHIGAN

RESOLUTION AUTHORIZING ISSUANCE AND SALE OF A  
COMBINED SEWER OVERFLOW LIMITED TAX  
GENERAL OBLIGATION BOND  
(PHASE II, SEGMENT 4), SERIES I

WHEREAS, THE STATE OF MICHIGAN WATER RESOURCES COMMISSION HAS ISSUED A WASTEWATER TREATMENT FACILITIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. MI 0023400 (THE "NPDES PERMIT") REQUIRING THE CITY OF LANSING (THE "CITY") TO DEVELOP A FINAL COMBINED SEWER OVERFLOW CONTROL PROGRAM (THE "CSO CONTROL PROGRAM") TO BE SUBMITTED TO THE STATE OF MICHIGAN ACTING THROUGH ITS DEPARTMENT OF NATURAL RESOURCES (SUBSEQUENTLY RESTRUCTURED AND RENAMED THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND COLLECTIVELY HEREFTER REFERRED TO AS THE "DEQ") FOR APPROVAL; AND

WHEREAS, BY A LETTER DATED MARCH 9, 1992 TO THE CITY CLERK, DEQ, ACTING THROUGH ITS SUPERVISOR OF THE SURFACE WATER QUALITY DIVISION, HAS APPROVED THE CSO CONTROL PROGRAM SUBMITTED BY THE CITY IN COMPLIANCE WITH THE NPDES PERMIT; AND

WHEREAS, ACT 320, PUBLIC ACTS OF MICHIGAN, 1927, AS AMENDED, REPEALED AND RECODIFIED BY PART 43 OF ACT 451, PUBLIC ACTS OF MICHIGAN 1994 ("ACT 451") ENABLES A CITY TO ISSUE AND SELL BONDS TO FINANCE CONSTRUCTION OF IMPROVEMENTS REQUIRED BY A PERMIT ISSUED BY THE STATE OF MICHIGAN WATER RESOURCES COMMISSION; AND

WHEREAS, THE CITY COUNCIL HAS STATED ITS INTENTION TO AUTHORIZE THE ISSUANCE OF LIMITED TAX GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES PURSUANT TO ACT 451 IN AN AMOUNT NOT TO EXCEED SIX MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) FOR THE PURPOSE OF FINANCING THE SUBAREA 022 WEST COMBINED SEWER SEPARATION, THE RED CEDAR EXPRESS OUTLET AND THE HARTON PUMP STATION TRIBUTARY SEWER SEPARATION (THE "IMPROVEMENTS"), INCLUDED IN PHASE II, SEGMENT 4 OF THE COMBINED SEWER OVERFLOW IMPROVEMENTS PROJECT PLAN REQUIRED BY THE NPDES PERMIT; AND

WHEREAS, PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS HAVE BEEN PREPARED BY THE CITY'S CONSULTING ENGINEERS AND SUBMITTED FOR APPROVAL BY THE DEQ; AND

WHEREAS, THE CITY COUNCIL PREVIOUSLY APPROVED A NOTICE OF INTENT TO ISSUE BONDS FOR PUBLIC SERVICE DEPARTMENT COMBINED SEWER OVERFLOW PROJECT RESOLUTION, WHICH, IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 5(G) OF THE HOME RULE CITIES ACT, ACT 279, PUBLIC ACTS OF MICHIGAN, 1909, AS AMENDED, REQUIRED THE CITY CLERK TO CAUSE TO BE PUBLISHED, ON OR BEFORE JANUARY 27, 1997, IN THE LANSING STATE JOURNAL, AN OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS OF THE CITY OF LANSING OF INTENT TO ISSUE BONDS (THE "NOTICE OF INTENT") WHICH DESCRIBES THE BONDS TO BE ISSUED TO FINANCE CONSTRUCTION OF THE IMPROVEMENTS; AND

WHEREAS, CHAPTER III, SECTION 12(D) OF THE MUNICIPAL FINANCE ACT, ACT 202 OF THE PUBLIC ACTS OF MICHIGAN, 1943, AS AMENDED, PERMITS A MUNICIPALITY TO AUTHORIZE, WITHIN LIMITATIONS WHICH SHALL BE CONTAINED IN THE AUTHORIZATION RESOLUTION OF THE GOVERNING BODY, AN OFFICER TO SELL AND DELIVER AND RECEIVE PAYMENT FOR OBLIGATIONS, AND TO APPROVE INTEREST RATES OR METHODS FOR FIXING INTEREST RATES, PRICES, DISCOUNTS, MATURITIES, PRINCIPAL AMOUNTS, DENOMINATIONS, DATES OF ISSUANCE, INTEREST PAYMENT DATES, REDEMPTION RIGHTS, PLACE OF DELIVERY AND PAYMENT, AND OTHER MATTERS AND PROCEDURES NECESSARY TO COMPLETE THE AUTHORIZED TRANSACTION;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. THE IMPROVEMENTS. PURSUANT TO THE CSO CONTROL PROGRAM APPROVED BY DEQ IN ACCORDANCE WITH THE NPDES PERMIT, THE CITY SHALL ACQUIRE AND CONSTRUCT THE IMPROVEMENTS. THE ESTIMATED PERIOD OF USEFULNESS OF THE IMPROVEMENTS IS NOT LESS THAN FORTY (40) YEARS.

2. AUTHORIZED OFFICERS. THE TERM "AUTHORIZED OFFICER" AS USED IN THIS RESOLUTION SHALL REFER TO ANY ONE OF THE FOLLOWING CITY OFFICERS: THE DIRECTOR OF FINANCE, THE DIRECTOR OF PUBLIC SERVICE, THE MAYOR, OR THE CITY CLERK.

3. AUTHORIZATION OF BOND ISSUANCE. A BOND OF THE CITY DESIGNATED COMBINED SEWER OVERFLOW LIMITED TAX GENERAL OBLIGATION BOND (PHASE II, SEGMENT 4) SERIES I (THE "BOND") IS AUTHORIZED TO BE ISSUED FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF THE IMPROVEMENTS, INCLUDING CAPITALIZED INTEREST AND COSTS INCIDENTAL TO THE ISSUANCE, SALE AND DELIVERY OF THE BOND.

THE BOND SHALL NOT BE ISSUED OR DELIVERED UNLESS THE CITY HAS RECEIVED AN ORDER OF PRIOR APPROVAL TO ISSUE THE BOND OR AN ORDER OF EXCEPTION FROM PRIOR APPROVAL FROM THE MUNICIPAL FINANCE DIVISION OF THE STATE OF MICHIGAN DEPARTMENT TREASURY.

THE BOND SHALL NOT BE ISSUED OR DELIVERED



UNLESS THE CITY HAS RECEIVED APPROVAL FROM THE DEQ OF THE PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS.

4. BOND DETAILS. THE BOND SHALL BE ISSUED IN THE AGGREGATE PRINCIPAL SUM OF FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000) OR SUCH LESSER AMOUNT AS SHALL BE DETERMINED BY AN AUTHORIZED OFFICER AT THE TIME OF SALE (THE "PRINCIPAL AMOUNT") AND APPROVED BY THE DEQ AND THE MICHIGAN MUNICIPAL BOND AUTHORITY (THE "AUTHORITY"), PURSUANT TO THE NOTICE OF INTENT.

THE BOND SHALL BE ISSUED IN SUBSTANTIALLY THE FORM OF APPENDIX A, WITH SUCH MODIFICATIONS AS MAY BE NECESSARY TO REFLECT CHANGES IN BOND TERMS OR DETAILS DETERMINED BY AN AUTHORIZED OFFICER AT OR PRIOR TO THE TIME OF SALE PURSUANT TO AUTHORITY GRANTED BY THIS RESOLUTION. THE AUTHORIZED OFFICER SHALL HAVE THE AUTHORITY TO MAKE SUCH CHANGES IN THE FORM OF BOND AS SHALL BE REQUESTED BY THE AUTHORITY, DEEMED REASONABLE BY AN AUTHORIZED OFFICER AND NOT IN CONFLICT WITH THE LAW OR PROVISIONS OF THIS RESOLUTION. THE BOND SHALL BE IN THE FORM OF A SINGLE FULLY-REGISTERED, NONCONVERTIBLE, NON-CHANGEABLE BOND OF THE DENOMINATION OF THE PRINCIPAL AMOUNT, DATED AS OF THE DATE OF DELIVERY OF THE BOND, OR SUCH OTHER DATE AS MAY BE DETERMINED BY AN AUTHORIZED OFFICER AT THE TIME OF SALE OF THE BOND AND APPROVED BY THE DEQ AND THE AUTHORITY.

THE BOND SHALL BE PAYABLE IN SERIAL PRINCIPAL INSTALLMENTS ON OCTOBER 1 OF EACH YEAR BEGINNING OCTOBER 1, 1999, OR ON SUCH OTHER DATES AS MAY BE DETERMINED BY AN AUTHORIZED OFFICER AT THE TIME OF SALE OF THE BOND AND APPROVED BY THE DEQ AND THE AUTHORITY. THE SCHEDULE OF SERIAL PRINCIPAL INSTALLMENTS SHALL BE DETERMINED BY AN AUTHORIZED OFFICER AT THE TIME OF SALE OF THE BOND AND APPROVED BY DEQ AND THE AUTHORITY. INTEREST ON THE BOND WILL BE PAYABLE AS PROVIDED UNDER SECTION 5, ON APRIL 1, 1997, AND SEMIANNUALLY THEREAFTER ON APRIL 1 OF AND OCTOBER 1 OF EACH YEAR UNTIL MATURITY OR EARLIER PREPAYMENT OF SAID INSTALLMENT, OR ON SUCH OTHER DATES AS DETERMINED BY AN AUTHORIZED OFFICER AT THE TIME OF THE SALE OF THE BOND AND APPROVED BY THE DEQ AND THE AUTHORITY.

THE BOND OR SERIAL PRINCIPAL INSTALLMENTS THEREOF WILL BE SUBJECT TO PREPAYMENT PRIOR TO MATURITY IN THE MANNER AND AT THE TIMES AS PROVIDED IN THE FORM OF BOND CONTAINED IN THIS RESOLUTION OR AS DETERMINED BY AN AUTHORIZED OFFICER AT THE TIME OF SALE OF THE BOND AND APPROVED BY THE DEQ AND THE AUTHORITY.

FINAL DETERMINATION OF CERTAIN BOND DETAILS, INCLUDING THE PRINCIPAL AMOUNT AND THE DATES AND AMOUNTS OF PRINCIPAL INSTALLMENTS, SHALL BE EVIDENCED BY EXECUTION OF THE PURCHASE CONTRACT TO BE EXECUTED BETWEEN THE CITY AND

THE AUTHORITY AS DESCRIBED BELOW.

5. SALE OF BOND; CALCULATION OF REPAYMENT OBLIGATIONS. THE CITY SHALL SELL THE BOND TO THE AUTHORITY AT PAR VALUE AND AT AN INTEREST RATE OF NOT TO EXCEED TWO AND ONE-QUARTER PERCENT (2.25%) PER ANNUM. THE BOND SHALL BE DELIVERED IN ACCORDANCE WITH THE DELIVERY INSTRUCTIONS OF THE AUTHORITY.

PROCEEDS OF THE SALE OF THE BOND SHALL NOT BE RECEIVED IN ONE LUMP SUM. RATHER, THE AUTHORITY SHALL PURCHASE PRINCIPAL INSTALLMENTS OF THE BOND (THE "PURCHASED PRINCIPAL INSTALLMENTS") FROM THE AUTHORITY AS SUCH PURCHASES ARE APPROVED BY THE DEQ. THESE PURCHASED PRINCIPAL INSTALLMENTS SHALL BE DEEMED TO CORRESPOND TO THE SERIAL PRINCIPAL INSTALLMENTS CONTAINED IN THE BOND IN DIRECT CHRONOLOGICAL ORDER OF SAID SERIAL PRINCIPAL INSTALLMENTS. THE CITY SHALL HAVE NO OBLIGATION TO REPAY ANY SERIAL PRINCIPAL INSTALLMENTS FOR WHICH THE CITY DID NOT RECEIVE PROCEEDS FROM CORRESPONDING PURCHASED PRINCIPAL INSTALLMENTS OF AT LEAST A LIKE AMOUNT.

INTEREST ON THE BOND SHALL ONLY ACCRUE ON THE PURCHASED INSTALLMENTS, AND SHALL ACCRUE BASED ON THE AMOUNT OF AND PURCHASE DATE OF SUCH INSTALLMENTS.

IN THE EVENT LESS THAN THE PRINCIPAL AMOUNT OF THE BOND IS PURCHASED BY THE AUTHORITY, ANY PORTION OF THE PRINCIPAL AMOUNT IS PREPAID AS PROVIDED BELOW, OR ANY SERIAL PRINCIPAL PAYMENT BECOMES DUE BEFORE THE CITY HAS RECEIVED PROCEEDS FROM CORRESPONDING PURCHASED PRINCIPAL INSTALLMENTS OF AT LEAST A LIKE AMOUNT, THEN THE AUTHORITY MAY PREPARE A NEW SERIAL PRINCIPAL INSTALLMENT REPAYMENT SCHEDULE ACCEPTABLE TO THE CITY.

6. BOND REGISTER; RECORD OF PAYMENTS. THE BOND SHALL BE REGISTERED ON THE BOND REGISTER MAINTAINED BY THE FINANCE DIRECTOR. THE FINANCE DIRECTOR SHALL RECORD ON THE BOND REGISTER PAYMENT BY THE CITY OF EACH INSTALLMENT OF PRINCIPAL OR INTEREST OR BOTH WHEN MADE AND THE CANCELED CHECKS OR OTHER RECORDS EVIDENCING SUCH PAYMENTS SHALL BE RETURNED TO AND RETAINED BY THE FINANCE DIRECTOR AND SHALL BE CONCLUSIVE EVIDENCE OF SUCH PAYMENTS AND THE OBLIGATION OF THE CITY WITH RESPECT TO SUCH PAYMENTS SHALL BE DISCHARGED TO THE EXTENT OF SUCH PAYMENTS.

UPON PAYMENT BY THE CITY OF ALL OUTSTANDING PRINCIPAL OF AND INTEREST ON THE BOND, THE AUTHORITY SHALL DELIVER THE BOND TO THE CITY FOR CANCELLATION.

7. EXECUTION AND DELIVERY. THE BOND SHALL BE EXECUTED IN THE NAME OF THE CITY WITH THE MANUAL OR FACSIMILE SIGNATURES OF THE MAYOR AND THE CLERK OF THE CITY (PROVIDED THAT AT LEAST ONE OF

THE SIGNATURES ON THE BOND SHALL BE A MANUAL SIGNATURE) AND SHALL HAVE THE SEAL OF THE CITY, OR A FACSIMILE THEREOF, PRINTED OR IMPRESSED ON THE BOND. AFTER EXECUTION, THE BOND SHALL BE DELIVERED TO THE AUTHORITY BY THE FINANCE DIRECTOR OR HIS DESIGNEE.

8. LTGO NATURE OF BOND. THE BOND IS ANTICIPATED TO BE PAID FROM FUNDS LAWFULLY AVAILABLE TO THE CITY FOR THIS PURPOSE SUCH AS REVENUES DERIVED FROM THE OPERATION OF THE CITY'S SEWAGE DISPOSAL SYSTEM, STORM WATER ENTERPRISE FEES, AND AD VALOREM TAXES PURSUANT TO A PLEDGE OF THE CITY'S LIMITED TAX FULL FAITH AND CREDIT. THE BOND SHALL BE A LIMITED TAX GENERAL OBLIGATION OF THE CITY. AS SUCH, IT SHALL BE PAYABLE AS A FIRST BUDGET OBLIGATION FROM THE GENERAL FUND OF THE CITY AND FROM TAXES IMPOSED ON ALL TAXABLE PROPERTY IN THE CITY, SUBJECT TO APPLICABLE CONSTITUTIONAL, STATUTORY AND CHARTER TAX RATE LIMITATIONS. COMMENCING WITH THE YEAR 1997, THERE SHALL BE LEVIED UPON THE TAX ROLLS OF THE CITY IN THE MANNER REQUIRED BY THE PROVISIONS OF ACT 202, PUBLIC ACTS OF MICHIGAN, 1943, AS AMENDED, AN AMOUNT SUCH THAT THE ESTIMATED COLLECTION THEREFROM WILL BE SUFFICIENT TO PROMPTLY PAY, WHEN DUE, THE PRINCIPAL OF AND INTEREST ON THE BOND BECOMING DUE PRIOR TO THE NEXT ANNUAL TAX LEVY; PROVIDED, HOWEVER, THAT IF AT THE TIME OF MAKING ANY SUCH ANNUAL TAX LEVY THERE SHALL BE OTHER MONIES TO MAKE THE REQUIRED PAYMENTS ON THE BOND, THEN THE CITY SHALL TAKE SUCH MONIES INTO ACCOUNT IN DETERMINING SUCH ANNUAL LEVY.

9. DEBT RETIREMENT PAYMENTS. THE FINANCE DIRECTOR IS AUTHORIZED AND DIRECTED TO OPEN A SEPARATE DEPOSITARY ACCOUNT WITH A BANK OR TRUST COMPANY TO BE DESIGNATED CSO DEBT RETIREMENT FUND (THE "DEBT RETIREMENT FUND"), THE MONEYS TO BE DEPOSITED INTO THE DEBT RETIREMENT FUND TO BE SPECIFICALLY EARMARKED AND USED SOLELY FOR THE PURPOSE OF PAYING PRINCIPAL OF AND INTEREST ON THE BOND AND ADDITIONAL FUTURE SERIES OF BONDS ISSUED BY THE CITY FOR THE PURPOSES OF COMPLETING CONSTRUCTION OF THE IMPROVEMENTS AS SUCH PRINCIPAL AND INTEREST BECOME DUE. THE FINANCE DIRECTOR SHALL DEPOSIT INTO THE DEBT RETIREMENT FUND FROM PROCEEDS OF THE BOND AN AMOUNT REPRESENTING CAPITALIZED INTEREST FOR A PERIOD TO BE APPROVED BY DEQ AND THE AUTHORITY BUT NOT TO EXCEED THREE YEARS FROM THE DATE OF DELIVERY OF THE BOND. THE FINANCE DIRECTOR IS FURTHER AUTHORIZED AND DIRECTED TO PAY, OR CAUSE TO BE PAID, FROM THE DEBT RETIREMENT FUND OR OTHER AVAILABLE FUNDS, ALL PAYMENTS OF PRINCIPAL, IF ANY, AND INTEREST ON THE BOND TO THE AUTHORITY'S DEPOSITORY, OR IN THE EVENT THE AUTHORITY IS NO LONGER THE OWNER OF THE BOND, TO THE OWNER OF THE BOND, IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOND.

10. CONSTRUCTION FUND. THE PROCEEDS OF THE

BOND (EXCEPT CAPITALIZED INTEREST AS PROVIDED ABOVE) AND THE PRIOR SERIES OF BONDS ISSUED BY THE CITY FOR THE PURPOSES OF COMPLETING CONSTRUCTION OF THE IMPROVEMENTS AND NO OTHER MONEYS SHALL BE DEPOSITED IN A FUND DESIGNATED AS THE CSO LIMITED TAX GENERAL OBLIGATION BOND CONSTRUCTION FUND (THE "CONSTRUCTION FUND"). SAID MONEYS SHALL BE USED SOLELY FOR THE PURPOSES FOR WHICH THE BOND, AND OTHER BONDS ISSUED FOR THE CSO CONTROL PROGRAM, ARE ISSUED. ANY UNEXPENDED BALANCE OF THE PROCEEDS OF THE SALE OF THE BOND REMAINING AFTER COMPLETION OF THE IMPROVEMENTS HEREIN AUTHORIZED MAY BE USED AT THE DISCRETION OF THE DIRECTOR OF PUBLIC SERVICE FOR FURTHER IMPROVEMENTS INCLUDED IN THE CSO CONTROL PROGRAM REQUIRED BY THE NPDES PERMIT. ANY REMAINING BALANCE AFTER SUCH EXPENDITURE SHALL BE USED FOR THE PREPAYMENT OF INSTALLMENTS OF THE BOND OR THE PURCHASE OF INSTALLMENTS OF THE BOND AT NOT MORE THAN THE FAIR MARKET VALUE THEREOF.

THE APPROPRIATION OF MONEYS FOR "ELIGIBLE" (NOT TO EXCEED THE MAXIMUM PRINCIPAL AMOUNT OF THE BOND) AND "INELIGIBLE" COSTS OF THE IMPROVEMENTS (AS THOSE TERMS ARE DEFINED BY THE AUTHORITY AND DEQ) IS HEREBY APPROVED. SAID MONEYS SHALL BE USED SOLELY FOR THE PURPOSES OF MAKING IMPROVEMENTS INCLUDED IN THE CSO CONTROL PROGRAM REQUIRED BY THE NPDES PERMIT, AND ANCILLARY RELATED EXPENSES.

AFTER COMPLETION OF THE IMPROVEMENTS AND DISPOSITION OF REMAINING PROCEEDS, IF ANY, OF THE BOND PURSUANT TO THE PROVISIONS OF THIS SECTION, THE CONSTRUCTION FUND MAY BE CLOSED.

11. MUTILATED, LOST, STOLEN OR DESTROYED BONDS. IN THE EVENT ANY BOND IS MUTILATED, LOST, STOLEN OR DESTROYED, THE MAYOR AND THE CITY CLERK MAY, ON BEHALF OF THE CITY, EXECUTE AND DELIVER A NEW BOND HAVING A NUMBER NOT THEN OUTSTANDING, OF LIKE DATE, MATURITY AND DENOMINATION AS THAT MUTILATED, LOST, STOLEN OR DESTROYED.

IN THE CASE OF A MUTILATED BOND, A REPLACEMENT BOND SHALL NOT BE DELIVERED UNLESS AND UNTIL SUCH MUTILATED BOND IS SURRENDERED TO THE CITY. IN THE CASE OF A LOST, STOLEN OR DESTROYED BOND A REPLACEMENT BOND SHALL NOT BE DELIVERED UNLESS AND UNTIL THE CITY SHALL HAVE RECEIVED SUCH PROOF OF OWNERSHIP AND LOSS AND INDEMNITY AS THEY DETERMINE TO BE SUFFICIENT, WHICH SHALL CONSIST AT LEAST OF (I) A LOST INSTRUMENT BOND FOR PRINCIPAL AND INTEREST REMAINING UNPAID ON THE LOST, STOLEN OR DESTROYED BOND; (II) AN AFFIDAVIT OF THE REGISTERED OWNER (OR HIS OR HER ATTORNEY) SETTING FORTH OWNERSHIP OF THE BOND LOST, STOLEN OR DESTROYED AND THE CIRCUMSTANCES UNDER WHICH IT WAS LOST, STOLEN OR DESTROYED; (III) THE AGREEMENT OF THE OWNER OF THE BOND (OR HIS OR HER ATTORNEY) TO FULLY INDEMNIFY THE CITY

AGAINST LOSS DUE TO THE LOST, STOLEN OR DESTROYED BOND AND THE ISSUANCE OF ANY REPLACEMENT BOND IN CONNECTION THEREWITH; AND (IV) THE AGREEMENT OF THE OWNER OF THE BOND (OR HIS OR HER ATTORNEY) TO PAY ALL EXPENSES OF THE CITY IN CONNECTION WITH THE REPLACEMENT, INCLUDING THE TRANSFER AND EXCHANGE COSTS WHICH OTHERWISE WOULD BE PAID BY THE CITY.

12. ARBITRAGE AND TAX COVENANTS. THE CITY HEREBY COVENANTS THAT, TO THE EXTENT PERMITTED BY LAW, IT SHALL TAKE ALL ACTIONS WITHIN ITS CONTROL NECESSARY TO MAINTAIN THE EXCLUSION OF THE INTEREST ON THE BOND FROM ADJUSTED GROSS INCOME FOR GENERAL FEDERAL INCOME TAX PURPOSES UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), INCLUDING BUT NOT LIMITED TO, ACTIONS RELATING TO THE REBATE OF ARBITRAGE EARNINGS, IF APPLICABLE, AND THE EXPENDITURE AND INVESTMENT OF BOND PROCEEDS AND MONEYS DEEMED TO BE BOND PROCEEDS.

13. APPROVAL OF DOCUMENTS. THE PROPOSED FORM OF PURCHASE CONTRACT BETWEEN THE CITY AND THE AUTHORITY (THE "PURCHASE CONTRACT"), THE PROPOSED FORM OF ISSUER'S CERTIFICATE TO BE EXECUTED BY THE CITY AND THE PROPOSED FORM OF SUPPLEMENTAL AGREEMENT AMONG THE CITY, THE AUTHORITY AND THE DEQ (THE "SUPPLEMENTAL AGREEMENT") ON FILE WITH THE CITY CLERK ARE HEREBY APPROVED. THE AUTHORIZED OFFICERS ARE HEREBY JOINTLY OR SEVERALLY AUTHORIZED TO EXECUTE AND DELIVER THE PURCHASE CONTRACT, THE ISSUER'S CERTIFICATE, AND THE SUPPLEMENTAL AGREEMENT UPON COMPLETION, IN THE FORMS APPROVED HEREBY WITH SUCH REVISIONS AS THEY MAY DETERMINE TO BE NECESSARY OR DESIRABLE, PERMITTED BY LAW, AND NOT MATERIALLY ADVERSE TO THE CITY.

14. GENERAL AUTHORITY FOR AUTHORIZED OFFICERS. THE AUTHORIZED OFFICERS ARE HEREBY JOINTLY OR SEVERALLY AUTHORIZED TO TAKE ANY ACTIONS NECESSARY TO COMPLY WITH REQUIREMENTS OF THE AUTHORITY AND DEQ IN CONNECTION WITH SALE OF THE BOND TO THE AUTHORITY. THE AUTHORIZED OFFICERS ARE HEREBY JOINTLY OR SEVERALLY AUTHORIZED TO EXECUTE AND DELIVER SUCH OTHER CERTIFICATES, DOCUMENTS, INSTRUMENTS, AND OTHER PAPERS AS MAY BE REQUIRED BY THE AUTHORITY OR DEQ OR AS MAY BE OTHERWISE NECESSARY OR CONVENIENT TO EFFECT THE DELIVERY OF THE BOND.

15. CONFLICTING RESOLUTIONS. ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION ARE RESCINDED.

BY COUNCILMEMBER LILLY

TO AMEND THE RESOLUTION ON THE FIRST PAGE, IN THE FOURTH (4TH) 'WHEREAS' PARAGRAPH TO CORRECTED THE WRITTEN "NOT TO EXCEED" AMOUNT TO STATE SIX MILLION, FIVE HUNDRED THOUSAND DOLLARS, AND

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

EXHIBIT A  
UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTIES OF INGHAM AND EATON  
CITY OF LANSING  
COMBINED SEWER OVERFLOW LIMITED TAX  
GENERAL OBLIGATION BOND  
(PHASE II, SEGMENT 4), SERIES I

THE CITY OF LANSING, COUNTIES OF INGHAM AND EATON, STATE OF MICHIGAN (THE "CITY"), ACKNOWLEDGES ITSELF TO OWE AND FOR VALUE RECEIVED HEREBY PROMISES TO PAY TO THE MICHIGAN MUNICIPAL BOND AUTHORITY (THE "AUTHORITY") THE SUM OF \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_) (THE "PRINCIPAL AMOUNT") OR SO MUCH THEREOF AS SHALL HAVE BEEN ADVANCED TO THE CITY PURSUANT TO A PURCHASE CONTRACT BETWEEN THE CITY AND THE AUTHORITY, AND A SUPPLEMENTAL AGREEMENT BY AND AMONG THE CITY, THE AUTHORITY AND THE STATE OF MICHIGAN ACTING THROUGH THE DEPARTMENT OF NATURAL RESOURCES. DURING THE TIME FUNDS ARE BEING DRAWN DOWN BY THE CITY UNDER THIS BOND, THE AUTHORITY WILL PERIODICALLY PROVIDE THE CITY WITH A STATEMENT SHOWING THE AMOUNT OF PRINCIPAL THAT HAS BEEN ADVANCED AND THE DATA OF EACH ADVANCE, WHICH STATEMENT SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE REPORTED INFORMATION; PROVIDED, THAT NO FAILURE ON THE PART OF THE AUTHORITY TO PROVIDE SUCH A STATEMENT OR TO REFLECT A DISBURSEMENT OR THE CORRECT AMOUNT OF A DISBURSEMENT SHALL RELIEVE THE CITY OF ITS OBLIGATION TO REPAY THE OUTSTANDING PRINCIPAL AMOUNT ACTUALLY ADVANCED, ALL ACCRUED INTEREST THEREON, AND ANY OTHER AMOUNT PAYABLE WITH RESPECT THERETO IN ACCORDANCE WITH THE TERMS OF THIS BOND. THE PRINCIPAL AMOUNT SHALL BE PAYABLE ON THE DATES AND IN THE SERIAL PRINCIPAL INSTALLMENT AMOUNTS SET FORTH IN SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF. INTEREST ON THE BOND SHALL ACCRUE ONLY ON INSTALLMENTS OF THE PRINCIPAL AMOUNT WHICH HAVE BEEN PURCHASED BY THE AUTHORITY, AND SHALL ACCRUE FROM THE DATE EACH SAID INSTALLMENT IS DELIVERED TO THE CITY UNTIL REPAYED BY THE CITY AT THE RATE OF TWO AND ONE-QUARTER PERCENT (2.25%) PER ANNUM, PAYABLE ON APRIL 1, 1997, AND SEMIANNUALLY THEREAFTER. IN THE EVENT LESS THAN THE PRINCIPAL AMOUNT OF THE BOND IS PURCHASED BY THE AUTHORITY, ANY PORTION OF THE PRINCIPAL AMOUNT IS PREPAID AS PROVIDED BELOW, OR ANY SERIAL PRINCIPAL PAYMENT BECOMES DUE BEFORE THE CITY HAS RECEIVED PROCEEDS FROM CORRESPONDING PURCHASED PRINCIPAL INSTALLMENTS OF AT LEAST A LIKE AMOUNT, THEN THE AUTHORITY MAY PREPARE A NEW SERIAL PRINCIPAL INSTALLMENT REPAYMENT SCHEDULE WHICH SHALL BE PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS BOND, SO LONG AS THE AUTHORITY IS THE OWNER OF THIS BOND, (A) THIS BOND IS PAYABLE AS TO PRINCIPAL, PREMIUM, IF ANY, AND INTEREST AT THE CORPORATE TRUST OFFICE OF NBD BANK, N.A., OR AT SUCH OTHER PLACE AS SHALL BE DESIGNATED IN WRITING TO THE CITY BY THE AUTHORITY (THE "AUTHORITY'S DEPOSITORY"); (B) THE CITY AGREES THAT IT WILL DEPOSIT WITH THE AUTHORITY'S DEPOSITORY PAYMENTS OF THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THIS BOND IN IMMEDIATELY AVAILABLE FUNDS AT LEAST FIVE BUSINESS DAYS PRIOR TO THE DATE ON WHICH ANY SUCH PAYMENT IS DUE WHETHER BY MATURITY, REDEMPTION OR OTHERWISE; AND (C) WRITTEN NOTICE OF ANY REDEMPTION OF THIS BOND SHALL BE GIVEN BY THE CITY AND RECEIVED BY THE AUTHORITY'S DEPOSITORY AT LEAST 40 DAYS PRIOR TO THE DATE ON WHICH SUCH REDEMPTION IS TO BE MADE.

IN THE EVENT OF A DEFAULT IN THE PAYMENT OF PRINCIPAL OR INTEREST HEREON WHEN DUE, WHETHER AT MATURITY, BY REDEMPTION OR OTHERWISE, THE AMOUNT OF SUCH DEFAULT SHALL BEAR INTEREST (THE "ADDITIONAL INTEREST") AT A RATE EQUAL TO THE RATE OF INTEREST WHICH IS TWO PERCENT ABOVE THE AUTHORITY'S COST OF PROVIDING FUNDS (AS DETERMINED BY THE AUTHORITY) TO MAKE PAYMENT ON THE BONDS OF THE AUTHORITY ISSUED TO PROVIDE FUNDS TO PURCHASE THIS BOND BUT IN NO EVENT IN EXCESS OF THE MAXIMUM RATE OF INTEREST PERMITTED BY LAW. THE ADDITIONAL INTEREST SHALL CONTINUE TO ACCRUE UNTIL THE AUTHORITY HAS BEEN FULLY REIMBURSED FOR ALL COSTS INCURRED BY THE AUTHORITY (AS DETERMINED BY THE AUTHORITY) AS A CONSEQUENCE OF THE CITY'S DEFAULT. SUCH ADDITIONAL INTEREST SHALL BE PAYABLE ON THE INTEREST PAYMENT DATE FOLLOWING DEMAND OF THE AUTHORITY. IN THE EVENT THAT (FOR REASONS OTHER THAN THE DEFAULT IN THE PAYMENT OF ANY MUNICIPAL OBLIGATION PURCHASED BY THE AUTHORITY) THE INVESTMENT OF AMOUNTS IN THE RESERVE ACCOUNT ESTABLISHED BY THE AUTHORITY FOR THE BONDS OF THE AUTHORITY ISSUED TO PROVIDE FUNDS TO PURCHASE THIS BOND FAILS TO PROVIDE SUFFICIENT AVAILABLE FUNDS (TOGETHER WITH ANY OTHER FUNDS WHICH MAY BE MADE AVAILABLE FOR SUCH PURPOSE) TO PAY THE INTEREST ON OUTSTANDING BONDS OF THE AUTHORITY ISSUED TO FUND SUCH ACCOUNT, THE CITY SHALL AND HEREBY AGREES TO PAY ON DEMAND ONLY THE CITY'S PRO RATA SHARE (AS DETERMINED BY THE AUTHORITY) OF SUCH DEFICIENCY AS ADDITIONAL INTEREST ON THIS BOND.

THIS BOND IS A SINGLE, FULLY-REGISTERED, NON-CONVERTIBLE BOND IN THE PRINCIPAL SUM INDICATED ABOVE ISSUED FOR THE PURPOSE OF CONSTRUCTING IMPROVEMENTS PURSUANT TO THE STATE OF MICHIGAN WATER RESOURCES COMMISSION WASTEWATER TREATMENT FACILITIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. MI 0023400 AS NOW IN FORCE OR AS HEREAFTER REVISED. THIS BOND IS ISSUED UNDER THE PROVISIONS OF ACT 320, PUBLIC ACTS OF MICHIGAN, 1927, AS AMENDED, REPEALED AND

RECODIFIED BY PART 43 OF ACT 451, PUBLIC ACTS OF MICHIGAN, 1994 ("ACT 451") AND A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL. THIS BOND IS A LIMITED TAX GENERAL OBLIGATION OF THE CITY, PAYABLE AS A FIRST BUDGET OBLIGATION FROM THE GENERAL FUND OF THE CITY AND FROM TAXES IMPOSED ON ALL TAXABLE PROPERTY IN THE CITY, SUBJECT TO APPLICABLE CONSTITUTIONAL, STATUTORY AND CHARTER TAX RATE LIMITATIONS.

PRINCIPAL INSTALLMENTS OF THIS BOND ARE SUBJECT TO PREPAYMENT BY THE CITY PRIOR TO MATURITY ONLY WITH THE PRIOR WRITTEN CONSENT OF THE AUTHORITY AND ON SUCH TERMS AS MAY BE REQUIRED BY THE AUTHORITY.

THIS BOND SHALL BE REGISTERED AS TO PRINCIPAL AND INTEREST ON THE BOOKS OF THE CITY KEPT BY THE FINANCE DIRECTOR AND MAY BE TRANSFERRED ONLY UPON SURRENDER OF THIS BOND BY THE REGISTERED OWNER OF RECORD IN PERSON, OR BY REGISTERED OWNER'S ATTORNEY DULY AUTHORIZED IN WRITING, TO THE FINANCE DIRECTOR TOGETHER WITH A WRITTEN INSTRUMENT OF TRANSFER SATISFACTORY TO THE FINANCE DIRECTOR DULY EXECUTED BY THE REGISTERED OWNER OR THE REGISTERED OWNER'S ATTORNEY DULY AUTHORIZED IN WRITING, AND THEREUPON A NEW REGISTERED BOND IN THE SAME AGGREGATE PRINCIPAL AMOUNT AND OF THE SAME MATURITY SHALL BE ISSUED TO THE TRANSFEREE IN EXCHANGE THEREFOR.

IT IS HEREBY CERTIFIED AND RECITED THAT ALL ACTS, CONDITIONS AND THINGS REQUIRED BY LAW TO BE DONE, PRECEDENT TO AND IN THE ISSUANCE OF THIS BOND EXIST AND HAVE BEEN DONE AND PERFORMED IN REGULAR AND DUE FORM AND TIME AS REQUIRED BY LAW, AND THAT THE TOTAL INDEBTEDNESS OF THE CITY, INCLUDING THIS BOND, DOES NOT EXCEED ANY CONSTITUTIONAL, STATUTORY OR CHARTER DEBT LIMITATION.

IN WITNESS WHEREOF, THE CITY, BY ITS CITY COUNCIL, HAS CAUSED THIS BOND TO BE SIGNED IN THE NAME OF THE CITY BY THE MANUAL SIGNATURES OF ITS MAYOR AND CLERK AND ITS CORPORATE SEAL OR A FACSIMILE THEREOF TO BE IMPRESSED HEREON, ALL AS OF \_\_\_\_\_, 1997.

CITY OF LANSING  
COUNTIES OF INGHAM AND EATON  
STATE OF MICHIGAN

BY: \_\_\_\_\_  
DAVID C. HOLLISTER  
ITS MAYOR

(SEAL)

COUNTERSIGNED

BY: \_\_\_\_\_  
MARILYNN SLADE  
CITY CLERK

## SCHEDULE A

THE FOLLOWING PAYMENT SCHEDULE INDICATES REPAYMENT BY THE CITY OF PRINCIPAL AMOUNT DUE ON THIS BOND. REPAYMENT OF THE PRINCIPAL AMOUNT SHALL BE MADE ACCORDING TO THIS SCHEDULE UNTIL THE FULL PRINCIPAL AMOUNT DISBURSED TO THE CITY IS REPAYED; PROVIDED, HOWEVER, THAT THE CITY SHALL HAVE NO OBLIGATION TO REPAY ANY SERIAL PRINCIPAL INSTALLMENT FOR WHICH THE CITY DID NOT RECEIVE A DISBURSEMENT OF PRINCIPAL AMOUNT BY THE DATE SUCH SERIAL PRINCIPAL INSTALLMENT IS DUE. IN SUCH AN EVENT OR IN THE EVENT OF PREPAYMENT OF THE BOND, THE AUTHORITY MAY PREPARE A NEW PAYMENT SCHEDULE SATISFACTORY TO THE CITY.

PRINCIPAL INSTALLMENT DUE ON OCTOBER 1	AMOUNT OF SERIAL PRINCIPAL INSTALLMENT
1999	,000
2000	,000
2001	,000
2002	,000
2003	,000
2004	,000
2005	,000
2006	,000
2007	,000
2008	,000
2009	,000
2010	,000
2011	,000
2012	,000
2013	,000
2014	,000
2015	,000
2017	,000
2017	,000
2018	,000
	<u>\$ ,000</u>

## RESOLUTION #108

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$26,457.63	EST. REV.-ACT 51 MAJOR 202--O-170001-0	SPECIAL AUTHORIZATIONS 202-453633-746703-0

(REIMBURSEMENTS FOR TRAFFIC SIGNAL  
MODERNIZATIONS FROM MDOT. REVENUE DETAIL  
ACCOUNT 202-0617900.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$93,549	EST. REV.-ACT 51 MAJOR 202-0-170001-0	SPECIAL AUTHORIZATIONS 202-453633-746703-0

(TO PROVIDE LABOR, EQUIPMENT RENTAL,  
MISCELLANEOUS MATERIALS AND SUPPLIES TO INSTALL  
NEW TRAFFIC SIGNALS AT VERLINDEN & SAGINAW,  
JENISON & SAGINAW, CEDAR & OAKLAND, AND LARCH  
& OAKLAND, CITY MATCH OF \$3,306 WILL BE  
CHARGED TO 202-453636-741000-0. REVENUE  
DETAIL ACCOUNT 202-0617900-0. AUTHORIZATION  
FROM MDOT.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,815	LABOR RELATIONS- SALARIES & LONGEVITY 101-173162-702000-0	
\$515		MISC. & OPER. 101- 173162-741000-0
\$3,300		EQUIP. 101-173162- 977000-0

(PURCHASE OF A LAPTOP COMPUTER AND RELATED  
SOFTWARE FOR USE IN LABOR NEGOTIATIONS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$9,500	POTTER ZOO-WAGES HOURLY 509-783835- 706000-0	ANIMAL FEED 509- 783835-742400-0

(PROJECTED ACCOUNT SHORTFALL DUE TO PRICE  
INCREASES IN FISH, MEAT, GRAIN, HAY AND PRODUCE  
FROM VENDORS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$9,930	PLANNING & NEIGHBORHOOD DEV- SOFTWARE MAINT 101- 172610-741890-0	
\$8,600		BLDG. EQUIP. 101- 172610-977000-0
\$1,330		PLANNING EQUIP. 101-172620-977000-0

(PURCHASE OF REPLACEMENT FOR STOLEN RADIO  
(\$2,500), LAPTOP COMPUTER FOR PART-TIME  
MECHANICAL INSPECTOR (\$3,500), TAPE DRIVE BACK-  
UP SYSTEM FOR RENTAL REGISTRATION SYSTEM  
(\$2,600), DRAWING TABLE (\$770), CAMCORDER  
(\$560).

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$60,200	FUND BALANCE-GENERAL FUND 101-0-390001-0	INFRASTRUCTURE-CONTROL 101-933901-992200-0
\$60,200	INFRASTRUCTURE- CONTROL 101-933901- 992200-0	OPER. TRANS-410 FUND 101-933690-991410- 13026
\$60,200	ESTIMATED REVENUE- INFRASTRUCTURE 410-0- 170001-0	DETENTION IMPROVEMENTS 410-933690-975000- 43833

(PROJECTED ADDITIONAL COSTS FOR PHYSICAL  
RENOVATIONS TO DETENTION AREA. TOTAL PROJECT

COST ESTIMATED AT \$112,700, INCLUDING DOOR LOCKS, VIDEO DESIGN (NOT SYSTEM), AND FIRE CODE COMPLIANCE. REVENUE DETAIL ACCOUNT 410-O-696101.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$67,500	GENERAL FUND-FUND BALANCE 101-0-390001-0	CAP. IMPROV.-CONTROL 101-933901-992200-0
\$67,500	CAPITAL IMPROVEMENTS- CONTROL 101-933901- 992200-0	OPER. TRANS.-410 FUND 101-933960-991410- 13026
\$67,500	INFRASTRUCTURE-EST. REV. 410-0-170001-0	MICH.AVE. STREETSCAPE 410-933690-974000- 46088
\$202,500	STATE & FEDERAL PROGRAMS-EST. REV. 273-0-170001-0	MICH. AVE. STREETSCAPE 273-933601-974103- 18823

(MDOT GRANT FOR STREETSCAPE IMPROVEMENTS. CITY MATCH LIMITED TO ABOVE \$67,500 WITH PUBLIC SERVICE TO DETERMINE WHETHER TO REDUCE AREA OF PROJECT OR SCOPE OF ACTIVITIES WITHIN AREA. REVENUE DETAIL ACCOUNT STATE AND FEDERAL PROGRAMS 273-0-501001-18823. INFRASTRUCTURE REVENUE DETAIL ACCOUNT 410-O-696101-O.)

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #109

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT I

WHEREAS, THE PUBLIC SERVICE DEPARTMENT HAS ESTABLISHED THE NEED FOR CONSTRUCTION OF CURB AND GUTTER AND THE NECESSARY DRAINAGE FACILITIES FOR WIELAND STREET FROM MASSACHUSETTS AVENUE TO VERMONT AVENUE ACCORDING TO THE PETITION SIGNED BY 66% OF THE BENEFITTED OWNERS AND BY 62% OF THE BENEFITTED FRONTAGE LOTS; AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT THIS PROPOSED PUBLIC IMPROVEMENT WILL BENEFIT ESPECIALLY PROPERTIES IN THE VICINITY OF THE WORK TO BE DONE AND THAT A BENEFIT DISTRICT PURSUANT TO CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES SHOULD BE ESTABLISHED TO BE SPECIALLY ASSESSED FOR THE PUBLIC IMPROVEMENT;

WHEREAS, THE PUBLIC SERVICE COMMITTEE CONSIDERED A POLICY CHANGE TO THE ASSESSABLE SHARE OF THE PROJECT FROM THE STORM WATER FUND; AND

WHEREAS, THE PUBLIC SERVICE COMMITTEE REFERRED THE PROPOSED POLICY CHANGE TO THE

COMMITTEE ON WAYS AND MEANS FOR THEIR REVIEW, AND AFTER REVIEWING THE INFORMATION PROVIDED BY THE PUBLIC SERVICE DEPARTMENT THE COMMITTEE ON WAYS AND MEANS WILL, AT A LATER DATE, MAKE A RECOMMENDATION AS TO HOW THE FUNDING IS TO BE SET UP.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY DETERMINES IT TO BE OF A PUBLIC NECESSITY TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS: CURB AND GUTTER AND THE NECESSARY DRAINAGE FACILITIES IN WIELAND STREET FROM MASSACHUSETTS AVENUE TO VERMONT AVENUE.

BE IT FURTHER RESOLVED THAT THE DEPARTMENT OF PUBLIC SERVICE IS HEREBY AUTHORIZED TO PREPARE NECESSARY PLANS AND SPECIFICATIONS FOR THESE IMPROVEMENTS, AND TO DETERMINE THE COST OF SAID PROJECT IN SUFFICIENT DETAIL TO ESTABLISH THE SPECIAL ASSESSMENT DISTRICT AND THE APPLICABLE ASSESSMENT TO THE PROPERTIES IN THE DISTRICT, AND TO FURNISH SAID INFORMATION TO THE MAYOR AND CITY COUNCIL.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #110

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT I

WHEREAS, THE PUBLIC SERVICE DEPARTMENT HAS ESTABLISHED THE NEED FOR CONSTRUCTION OF CURB AND GUTTER AND THE NECESSARY STORM DRAINAGE FACILITIES FOR DORIS STREET ACCORDING TO THE PETITION (SEE VALID PETITION ATTACHED) SIGNED BY 57% OF THE BENEFITTED OWNERS AND BY 57% OF THE BENEFITTED FRONTAGE LOTS; AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT THIS PROPOSED PUBLIC IMPROVEMENT WILL BENEFIT ESPECIALLY PROPERTIES IN THE VICINITY OF THE WORK TO BE DONE AND THAT A BENEFIT DISTRICT PURSUANT TO CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES SHOULD BE ESTABLISHED TO BE SPECIALLY ASSESSED FOR THE PUBLIC IMPROVEMENT;

WHEREAS, THE PUBLIC SERVICE COMMITTEE CONSIDERED A POLICY CHANGE TO THE ASSESSABLE SHARE OF THE PROJECT FROM THE STORM WATER FUND; AND

WHEREAS, THE PUBLIC SERVICE COMMITTEE REFERRED THE PROPOSED POLICY CHANGE TO THE COMMITTEE ON WAYS AND MEANS FOR THEIR REVIEW, AND AFTER REVIEWING THE INFORMATION PROVIDED BY THE PUBLIC SERVICE DEPARTMENT THE COMMITTEE ON WAYS AND MEANS WILL, AT A LATER DATE, MAKE A RECOMMENDATION AS TO HOW THE FUNDING IS TO BE SET UP.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY DETERMINES IT TO BE OF A PUBLIC NECESSITY TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS: CURB AND GUTTER AND THE NECESSARY STORM DRAINAGE FACILITIES IN DORIS STREET.

BE IT FURTHER RESOLVED THAT THE DEPARTMENT OF PUBLIC SERVICE IS HEREBY AUTHORIZED TO PREPARE NECESSARY PLANS AND SPECIFICATIONS FOR THESE IMPROVEMENTS, AND TO DETERMINE THE COST OF SAID PROJECT IN SUFFICIENT DETAIL TO ESTABLISH THE SPECIAL ASSESSMENT DISTRICT AND THE APPLICABLE ASSESSMENT TO THE PROPERTIES IN THE DISTRICT, AND TO FURNISH SAID INFORMATION TO THE MAYOR AND CITY COUNCIL.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #111**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT I

WHEREAS, THE PUBLIC SERVICE DEPARTMENT HAS ESTABLISHED THE NEED FOR CONSTRUCTION OF CURB AND GUTTER AND SIDEWALK FOR MEL AVENUE FROM WASHINGTON AVENUE TO MANOR DRIVE ACCORDING TO THE PETITION (SEE VALID PETITION ATTACHED) SIGNED BY 52% OF THE BENEFITTED OWNERS AND BY 39% OF THE BENEFITTED FRONTAGE LOTS; AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT THIS PROPOSED PUBLIC IMPROVEMENT WILL BENEFIT ESPECIALLY PROPERTIES IN THE VICINITY OF THE WORK TO BE DONE AND THAT A BENEFIT DISTRICT PURSUANT TO CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES SHOULD BE ESTABLISHED TO BE SPECIALLY ASSESSED FOR THE PUBLIC IMPROVEMENT;

WHEREAS, THE PUBLIC SERVICE COMMITTEE CONSIDERED A POLICY CHANGE TO THE ASSESSABLE SHARE OF THE PROJECT FROM THE STORM WATER FUND; AND

WHEREAS, THE PUBLIC SERVICE COMMITTEE REFERRED THE PROPOSED POLICY CHANGE TO THE COMMITTEE ON WAYS AND MEANS FOR THEIR REVIEW, AND AFTER REVIEWING THE INFORMATION PROVIDED BY THE PUBLIC SERVICE DEPARTMENT THE COMMITTEE ON WAYS AND MEANS WILL, AT A LATER DATE, MAKE A RECOMMENDATION AS TO HOW THE FUNDING IS TO BE SET UP.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY DETERMINES IT TO BE OF A PUBLIC NECESSITY TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS: CURB AND GUTTER AND SIDEWALK IN MEL AVENUE FROM WASHINGTON AVENUE TO MANOR DRIVE.

BE IT FURTHER RESOLVED THAT THE DEPARTMENT OF PUBLIC SERVICE IS HEREBY AUTHORIZED TO PREPARE NECESSARY PLANS AND SPECIFICATIONS FOR THESE IMPROVEMENTS, AND TO DETERMINE THE COST OF SAID PROJECT IN SUFFICIENT DETAIL TO ESTABLISH THE SPECIAL ASSESSMENT DISTRICT AND THE APPLICABLE ASSESSMENT TO THE PROPERTIES IN THE DISTRICT, AND TO FURNISH SAID INFORMATION TO THE MAYOR AND CITY COUNCIL.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #112**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MAYOR HOLLISTER HAS RECOMMENDED THE APPOINTMENT OF MR. DERRICK QUINNEY, 2010 WELLESLEY DRIVE, TO THE ELECTED OFFICERS COMPENSATION COMMISSION; AND

WHEREAS, THE COMMITTEE INTERVIEWED MR. QUINNEY AND FOUND HIM TO BE WELL QUALIFIED AND COMMITTED TO SERVING THE CITY OF LANSING IN THIS CAPACITY;

NOW, THEREFORE, BE IT RESOLVED, THAT THE APPOINTMENT OF DERRICK QUINNEY IS HEREBY CONFIRMED AS RECOMMENDED BY THE MAYOR. TERM WILL EXPIRE ON OCTOBER 1, 1998.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #113**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

CLASS B WRECKER LICENSE: AMERICAN  
TOWING INC., 15890 SOUTH U.S. 27,  
LANSING, MICHIGAN FOR THE VEHICLES  
IDENTIFIED AS V.I.N.'S  
1FDLF47F8TE1319575,  
1FDLF47F3VEA81028,  
2FDLF47M4RCA09815.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION # 114**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MICHIGAN HERB ASSOCIATES HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES MICHIGAN HERB ASSOCIATES AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION # 115**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MICHIGAN NATIONAL GUARD FAMILY FUND HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES MICHIGAN NATIONAL GUARD FAMILY FUND AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION # 116**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH

COSTS FROM THE CRISTO REY COMMUNITY CENTER FOR THE CESAR CHAVEZ SECOND COMMEMORATIVE DINNER AT THE LANSING CENTER ON APRIL 4, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$1,325.00 TO ACCOUNT #101-173901-741200-0, FOR LANSING CENTER RENTAL COSTS.

BY COUNCILMEMBER NOVAK

TO RECUSE COUNCILMEMBER BENAVIDES FROM CONSIDERATION OF THIS ISSUE, BECAUSE AS THE DIRECTOR OF THE CRISTO REY COMMUNITY CENTER, THERE MAY EXIST AN APPEARANCE OF A CONFLICT OF INTEREST

CARRIED UNANIMOUSLY

BY COUNCILMEMBER NOVAK

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

CARRIED UNANIMOUSLY, COUNCILMEMBER BENAVIDES ABSTAINING

BY COUNCILMEMBER LILLY

TO RECONSIDER THE VOTES ON THE RESOLUTIONS REGARDING STORMWATER ENTERPRISE FUND FEE APPEALS FOR; SAMUEL BALDINO, HAROLD BALMER, JEFFREY & JULIA BAKER, VERNON & GRACE ANDREWS, ALLSTATE REALTY, SAMUEL ADCOCK, RONALD AND CARL JONES, REX HELMS AND FRANCES HUNAUT TAKEN AT THE CITY COUNCIL MEETING HELD ON MARCH 3, 1997

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

TO REFER THE ABOVE REFERENCED RESOLUTIONS REGARDING STORMWATER ENTERPRISE FUND FEE APPEALS TO THE COMMITTEE OF THE WHOLE

CARRIED UNANIMOUSLY

**ORDINANCES FOR INTRODUCTION**

**INTRODUCTION OF ORDINANCES**

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-18-96, 4720 S. CEDAR STREET (EAST 183 FEET), "A" RESIDENTIAL TO "D-1"



## PROFESSIONAL OFFICE DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

**RESOLUTION #117**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, MARCH 31, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-18-96, 4720 S. CEDAR STREET (EAST  
183 FEET), "A" RESIDENTIAL TO "D-1"  
PROFESSIONAL OFFICE DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-16-96; VACANT LAND, 1200 W. JOLLY RD., SOUTH SIDE, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-16-96; VACANT LAND, 1200 W. JOLLY RD., SOUTH SIDE, BE

NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

**ORDINANCE #2407**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS: TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-16-96, VACANT LAND,  
1200 W. JOLLY ROAD, SOUTH SIDE

PARCEL NUMBER: 3305-05-202-162  
AND EAST 50FT. OF -172

LEGAL DESCRIPTION: THE EAST 50FT. OF LOT  
52 EXCEPT THE N 7FT., AND LOT 53 EXCEPT THE  
N 7 FT., SUPERVISOR'S PLAT OF PROSPERITY  
FARMS, CITY OF LANSING, INGHAM COUNTY,  
MCHIGAN

FROM "A" RESIDENTIAL DISTRICT TO "F" COMMERCIAL  
DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF  
ORDINANCES INCONSISTENT WITH THE PROVISIONS  
HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT  
THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN  
IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER LILLY

THAT ITEM VIII, D-2, ORDINANCE FOR PASSAGE AMENDING CHAPTER 888 BY ADDING A NEW SECTION, 888.11, TO PROVIDE FOR A PAYMENT OF SERVICE CHARGE IN LIEU OF TAXES (P.I.L.O.T.) FOR SILVERSTONE, LIMITED HOUSING ASSOCIATION (FORMERLY KNOWN AS SMOKE RISE, LDHA), AND ITEM IX A-1, COMMITTEE REPORT FROM THE COMMITTEE ON WAYS AND MEANS RECOMMENDING THE PASSAGE OF THE ABOVE REFERENCED ORDINANCE, BE PULLED FROM THE AGENDA AND REFERRED TO THE

COMMITTEE ON WAYS AND MEANS TO ALLOW COUNCILMEMBER BENAVIDES TO MEET WITH HIS CONSTITUENTS REGARDING THIS MATTER

CARRIED UNANIMOUSLY

### OTHER BUSINESS

(INCLUDING PUBLIC COMMENT/THREE MINUTE TIME LIMIT)

MARY CLARK OF 223 S. EIGHTH ST. ANNOUNCED A CITY WIDE APPRECIATION RECEPTION FOR THE CODE COMPLIANCE OFFICERS TO BE HELD ON MARCH 25, 1997 FROM 4:00 P.M. TO 7:00 P.M. AT CHRIST LUTHERAN CHURCH, NEAR THE INTERSECTION OF MICHIGAN AND PENNSYLVANIA AVENUES. INTERESTED PARTIES MAY CALL 484-1575 FOR MORE INFORMATION.

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN OPPOSITION TO THE SIGNING OF A SISTER CITY AGREEMENT WITH A COMMUNIST CHINA CITY, OR ANY COMMUNIST CITY. HE STATED THAT COUNCIL MAY NOT ADOPT A CIVIL RIGHTS ORDINANCES FOR AT LEAST TWO YEARS FOLLOWING THE NULLIFICATION OF THE CIVIL RIGHTS ORDINANCE AT THE POLLS IN NOVEMBER OF 1996. THIS IS ACCORDING TO CITY CHARTER PART 2, SECTION 2-409.2. ADDITIONALLY, HE DOES NOT SEE THE POINT OF THE ORDINANCE SUBMITTED BY MOST.

MELANIE RODGERS OF 409 W. WILLOW ST. NOTED THAT THE CITY OF LANSING IS OCCUPYING A SUBSTANDARD STRUCTURE, AND AS A HOME OWNER SHE IS FRUSTRATED, BECAUSE SHE IS SUBJECT TO LAWS AND CHARGES THAT THE CITY IS NOT. SHE SHOULD BE ALLOWED TO MAKE REPAIRS TO HER HOME AT HER OWN RATE OF SPEED. INSTEAD, SHE HAS BEEN ORDERED BY THE CODE COMPLIANCE DIVISION TO COMPLETE THE RESIDING OF HER HOME WITHIN A RIDICULOUSLY SHORT PERIOD OF TIME, PARTICULARLY CONSIDERING THAT IT IS NOW WINTER AND EXTREMELY DIFFICULT TO GET OUTSIDE WORK DONE.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. THANKED COUNCILMEMBER ALLEN FOR BEGINNING TONIGHT'S MEETING WITH AN INVOCATION. IT IS WONDERFUL TO SEE THIS PRACTICE REESTABLISHED AT CITY COUNCIL MEETINGS, AND HE HOPES IT CONTINUES. HE RESTATED HIS OPINION ON THE DEATH OF EDWARD SWANS ON FEBRUARY 2, 1996 WHILE IN THE CUSTODY OF THE LANSING POLICE DEPARTMENT.

ANDREW BRODIE OF 1114 GLENN ST. SPOKE REGARDING THE ISSUE OF INJUSTICE AS IT RELATES TO THE RESIDENTS OF THE CITY. HE ACCUSED THE CITY ATTORNEY, MAYOR HOLLISTER AND CITY OF COUNCIL OF PERPETRATING AN ILLEGAL ORDINANCE ON THE CITIZENS OF LANSING. REFERRING, OF COURSE, TO THE STORMWATER ENTERPRISE FUND ORDINANCE.

ALBERTA JORDAN, NO ADDRESS GIVEN, SPOKE REGARDING A YOUNG WHITE GIRL WHO LIVED NEAR HER WHEN HER CHILDREN WERE YOUNGER, WHO THEY USED

TO BEAT UP IN FIGHTS AND TEAR OUR HER HAIR.

HELEN FISER OF 12100 S. CORK IN MORRICE SAID THAT SHE HAS RECEIVED A 100% EXEMPTION FROM THE STORMWATER ENTERPRISE FUND ORDINANCE ON ONE OF HER PROPERTIES, HOWEVER THEY OWN OTHER PROPERTY THAT THEY ARE FORCED TO PAY THE FEE ON. SHE CRITICIZED THE STATE JOURNAL FOR THE EDITORIAL ARTICLES THEY HAVE RUN ON THIS ISSUE.

ED SIMMER OF 2609 DYER SPOKE IN OPPOSITION TO THE CIVIL RIGHTS ORDINANCE PROPOSED BY MOST.

FRANK NELSON OF 722 WISCONSIN SAID THAT HE OPPOSES THE ORDINANCE PROPOSED BY MOST. HE STATED HIS INTENT TO MAINTAIN HIS RESIDENCE IN LANSING IN ORDER TO ENSURE THAT WHEN THE TWO YEAR PERIOD IS UP, THE COMPREHENSIVE CIVIL RIGHTS ORDINANCE GETS PASSED.

CHERYL VANDEKERKHOVE COMMENDED THE DEVELOPMENT DEPARTMENTS FOR SUPPORTING THE PURCHASE OF PROPERTY LOCATED AT 216 E. GRAND RIVER. SHE STATED THAT SHE IS A MEMBER OF THE LANSING ASSOCIATION FOR HUMAN RIGHTS, WHO WILL SPONSOR A DESSERT AUCTION AT THE UNITARIAN CHURCH ON APRIL 5, 1997.

### REPORTS OF COUNCIL COMMITTEES

#### RESOLUTION #118

#### COMMITTEE REPORT

#### BY THE COMMITTEE ON DEVELOPMENT & PLANNING

TO WHOM WAS REFERRED, REZONING ORDINANCE, Z-16-96, VACANT PROPERTY LOCATED ON THE SOUTH SIDE OF THE 1200 BLOCK OF W. JOLLY RD, A PETITION FOR REZONING FROM "A" RESIDENTIAL DISTRICT TO "F" COMMERCIAL DISTRICT;

REPORTS AS FOLLOWS: HAVING REVIEWED THE REZONING PETITION AND THE RECOMMENDATIONS OF THE MAYOR AND THE PLANNING BOARD, THE COMMITTEE REPORTS FAVORABLY, RECOMMENDING THE ADOPTION OF THIS REZONING ORDINANCE.

SIGNED: COUNCILMEMBER RICK LILLY, CHAIR  
COUNCILMEMBER SANDY ALLEN, VICE-  
CHAIR  
COUNCILMEMBER JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE RULES BE SUSPENDED TO ALLOW FOR THE ADDITION OF A COMMITTEE REPORT RECOMMENDING THE ADOPTION OF Z-16-96 AT THIS TIME, AND THAT THE REPORT OF THE COMMITTEE BE RECEIVED

CARRIED UNANIMOUSLY

### CITY OFFICERS & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING

## LICENSES AND BONDS FOR REFERRAL:

WASTE HAULER: CAPITOL CITY LAWN CARE, INC.  
BFI  
ALLIED DISPOSAL CO., INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

## 2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE CITY ATTORNEY REGARDING JOYCE ELAINE MORSE V CITY OF LANSING, ET AL

RECEIVED AND PLACED ON FILE

4. LETTER FROM COUNCILMEMBER RICK LILLY REGARDING INFRASTRUCTURE NEEDS

REFERRED TO THE MAYOR

## 5. LETTERS FROM THE MAYOR RE:

A. APPOINTMENT OF ARNOLD S. METOYER TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

B. APPOINTMENT OF LUKE DEMYERS TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

C. APPOINTMENT OF ORBY GRAY TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

D. APPOINTMENT OF STEPHEN A. HRAPKIEWICZ TO THE PRINCIPAL SHOPPING DISTRICT BOARD REPRESENTING "ZONE A" FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. REQUEST FROM THE CAPITAL AREA UNITED WAY FOR THE DONATION OF CITY OF LANSING OBSOLETE PC EQUIPMENT TO THEIR PC RECYCLING PROGRAM

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

F. GRANT APPLICATION: MDOT TRANSPORTATION ECONOMIC DEVELOPMENT FUNDS FOR PENNSYLVANIA AVE. BETWEEN MILLER RD. & PIERPOINT ST.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

## G. TELEPHONE EASEMENT

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

H. EXTENSION OF LICENSING AGREEMENT BETWEEN THE CITY OF LANSING AND THE GREATER LANSING AMATEUR HOCKEY ASSOCIATION FOR THE DOMED ICE RINK AT WASHINGTON PARK

REFERRED TO THE COMMITTEE OF THE WHOLE

## I. TRANSFER OF FUNDS: PARKS &amp; RECREATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

J. TRAFFIC CONTROL REQUEST; JOHNSON AVE. & PORTER ST.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

## K. PARKING REGULATION CHANGE; MAHLON ST.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

L. PARKING REGULATION CHANGE; EAST PARK TERRACE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

## M. ACQUISITION OF 216 E. GRAND RIVER AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

N. ACT-17-96; CLOSURE OF ALLEY OFF BANCROFT COURT

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

O. ACT-27-96; 200 BLOCK RUMSEY AVE., VACATION OF ALLEY

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

P. ESTIMATED AND ACTUAL REVENUES AND EXPENDITURES TO 12/31/96

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM JOSHUA M. WOOD OF 401 W. PAULSON ST. REGISTERING A COMPLAINT AGAINST THE LPD

REFERRED TO THE MAYOR

2. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES SUBMITTING NOTICE OF A LICENSE FOR A CHILD FOSTER FAMILY GROUP HOME ISSUED TO CHARLES & LORIS ASKEW OF 4008 WAINWRIGHT

REFERRED TO THE MAYOR AND THE PLANNING BOARD

3. LETTER FROM MAJORITY OPPOSING SPECIAL TREATMENT SUBMITTING A CIVIL RIGHTS ORDINANCE FOR COUNCILS CONSIDERATION

REFERRED TO THE MAYOR, THE CITY ATTORNEY AND THE HUMAN RELATIONS AND COMMUNITY SERVICES BOARD

4. LETTER FROM THE MICHIGAN MUNICIPAL LEAGUE ANNOUNCING THEIR ANNUAL REGIONAL MEETING TO BE HELD ON THURSDAY, APRIL 24, 1997 IN HASTINGS, MI

RECEIVED AND PLACED ON FILE

5. Z-05-97, 411 & 415 CAVANAUGH RD., PETITION FOR REZONING FROM "A" RESIDENTIAL TO "F" COMMERCIAL DISTRICT FILED BY VELMEIR CO., LLC TO ALLOW FOR DEVELOPMENT OF A RETAIL FACILITY

REFERRED TO THE MAYOR AND THE PLANNING BOARD

6. Z-06-97, 810 W. SAGINAW ST., PETITION FOR REZONING FROM "D-1" PROFESSIONAL OFFICE TO "F" COMMERCIAL DISTRICT FILED BY NELSON E. GILROY TO ALLOW FOR THE PRESERVATION OF EXISTING PARKING SPACE

REFERRED TO THE MAYOR AND THE PLANNING BOARD

7. LETTER FROM STEVE CRUM OF 6229 GROVENBURG RD. REQUESTING INFORMATION ON THE STATUS OF HIS 1995 STORMWATER ENTERPRISE FUND FEE APPEAL

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

8. LETTER FROM ANGELO PRIGGOORIS KOSTARIDES OF 9550 CADBURY CIRCLE OF INDIANAPOLIS, IN REGARDING THE DISTRIBUTION OF THE PROCEEDS FROM THE SALE OF PRIGGOORIS PARK

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

9. LETTER FROM ATTORNEYS ON BEHALF OF MILL POND COMPANY, L.L.C. REGARDING THE APPEAL OF THEIR STORMWATER ENTERPRISE FUND FEE

REFERRED TO THE PUBLIC SERVICES DEPARTMENT

10. Z-07-97; 315 E. JOLLY RD., PETITION FOR REZONING FROM "J" PARKING, "F" COMMERCIAL AND "G-2" WHOLESALE TO "F" COMMERCIAL DISTRICT, FILED BY ARCHITECT DESIGN PINNACLE, INC. TO ALLOW FOR DEVELOPMENT OF EXPANDED COMPUTER WAREHOUSE FACILITIES & THE ADDITION OF A POWERHOUSE GYM

REFERRED TO THE MAYOR AND THE PLANNING BOARD

11. SLU-01-97, 4900 CONTEC DR., PETITION FOR SPECIAL LAND USE FILED BY MIKE GARRETT OF SOCCERZONE, INC. TO ALLOW FOR CONSTRUCTION OF AN ADDITION TO THEIR EXISTING FACILITY

REFERRED TO THE MAYOR AND THE PLANNING BOARD

12. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES OF THE CLOSING OF A CHILD FOSTER CARE GROUP HOME LICENSED TO KHADIJAH BRADLEY AT 3208 HEPFER

RECEIVED AND PLACED ON FILE

13. 172 POSTCARDS REQUESTING THE REPEAL OF THE STORMWATER ENTERPRISE FUND

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER COMMENDED THE VOLUNTEERS OF LANSING WHO DONATED TO THE FOOD BANK FOOD DRIVE. THEY RAISED OVER \$450,000. SHE THANKED THE STATE JOURNAL AND BILL LONG AND CONGRATULATED JACK DAVIS, CHAIRMAN OF THE BOARD OF THE CHAMBER OF COMMERCE FOR THE WONDERFUL REMARKS THEY MADE ABOUT OUR CITY AT THEIR ANNUAL DINNER. SHE CONGRATULATED DR. CLINTON CANADY, JR. AND HORTENSE CANADY FOR AWARDS THEY RECEIVED AT THE RECENT NAACP DINNER. SHE COMMENDED JOE MACGUIRE FOR A 'POINT OF VIEW' COLUMN IN THE STATE JOURNAL A FEW WEEKS AGO ABOUT THE BOARD OF WATER & LIGHT.

COUNCILMEMBER LILLY ANNOUNCED THAT THE COMMITTEE ON DEVELOPMENT AND PLANNING WILL NOT BE MEETING TOMORROW, NOR WILL THEY MEET NEXT WEEK.

COUNCILMEMBER JONES URGED ALL CITIZENS TO READ THE ARTICLE IN THE STATE JOURNAL TODAY ON THE

DISTRICT LIBRARY AND TO ENCOURAGE ALL OF THEIR FRIENDS AND FAMILY THAT LIVE IN MERIDIAN TOWNSHIP TO CONTACT THEIR REPRESENTATIVES IN SUPPORT OF THE CREATION OF THE DISTRICT LIBRARY AND OPPOSING THE CREATION OF THEIR OWN LIBRARY FACILITY.

COUNCILMEMBER BEAL AGREED WITH THE COMMENTS OF COUNCILMEMBER JONES AND ASKED MR. WIENER TO HAVE THE CITY'S PUBLIC RELATIONS FIRM WORK ON THIS ISSUE. IT IS VERY IMPORTANT THAT PLAN NOT FAIL. THEY NEED PUBLIC INFORMATION PUT OUT ON THIS ISSUE. SHE SPOKE REGARDING AN MSU WRESTLER, GABE ACOSTA, WHO WAS A FORMER STUDENT OF HERS. SHE STATED THAT SHE WILL LOBBY FOR AND SUPPORT THE ADDITIONAL FUNDING OF MIDDLE SCHOOL SPORTS PROGRAMS.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER THANKED COUNCIL FOR HOSTING THE SANMING DELEGATION TONIGHT AND FOR PARTICIPATING IN THE SISTER CITY AGREEMENT. THIS PROGRAM IS AN INTERNATIONAL PROGRAM THAT SUPPORTS SISTER CITY AGREEMENTS AND RELATIONS ALL OVER THE WORLD. THIS IS NOT A GOVERNMENT TO GOVERNMENT RELATIONSHIP, IT IS A PEOPLE TO PEOPLE RELATIONSHIP INTENDED TO STRENGTHEN PEACEFUL RELATIONSHIPS WITH OTHER COUNTRIES. IT IS TRUE THAT CHINA DOES NOT HAVE A STELLAR HUMAN RIGHTS RECORD, HOWEVER, THIS IS ALSO TRUE OF OTHER CITIES THAT LANSING HAS SISTER CITY AGREEMENTS WITH. SOME MIGHT SAY THAT THE U.S. DOES NOT HOLD THE WORLD RECORD IN THIS AREA, EITHER. HOPEFULLY THIS PROGRAM WILL BRING PEOPLE CLOSER TOGETHER AND WORK TOWARDS BETTER HUMAN RELATIONS.

**ADJOURNED 9:25 P.M.**

**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MARCH 17, 1997**

120

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY

ABSENT: COUNCILMEMBER NOVAK

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE  
LED BY COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
MARCH 3, AND MARCH 10, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER JONES; A REQUEST TO  
SUSPEND THE RULES TO ALLOW FOR THE ADDITION OF  
A SPECIAL CEREMONY HONORING LANSING SCHOOLS  
DRUG FREE TASK FORCE PARTICIPANTS
2. FROM COUNCILMEMBER ALLEN; A LETTER FROM  
CHRISTINE LONG REGARDING A PETITION FOR REZONING  
FROM ARBOR DRUGS
3. FROM COUNCILMEMBER LEEMAN; A LETTER FROM  
THE CITY ATTORNEY REGARDING ALEXANDER BOLT V  
CITY OF LANSING

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE  
PORTION OF THE REGULAR MEETING TO WHICH  
THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

MAYOR HOLLISTER, ALONG WITH MR. BOB VARNER,  
CHAIRMAN OF MAYOR HOLLISTER'S DRUG FREE YOUTH  
TASK FORCE, PRESENTED CHECKS TO TEACHERS OF  
THE LANSING SCHOOL DISTRICT WHO ARE  
PARTICIPATING IN AN EDUCATIONAL PROGRAM ON DRUG

FREE LIFESTYLES. THESE DONATIONS ARE BEING MADE  
POSSIBLE BY A TASK FORCE FUNDRAISER TO PROMOTE  
DRUG FREE YOUTH PROGRAMMING AND TO TEACH  
DRUG FREE BEHAVIOR TO STUDENTS THROUGHOUT THE  
SCHOOL DISTRICT. MR. BARNER STATED HIS PLEASURE  
AT BEING ABLE TO MAKE THESE DONATIONS WHICH  
CONSIST OF: \$415 TO OTTO MIDDLE SCHOOL TO  
COVER THE COST OF A DRUG PREVENTION MURAL TO  
HANG IN THEIR MAIN HALLWAY, \$500 TO SHERIDAN RD.  
ELEMENTARY SCHOOL FOR A WORKING PROGRAM  
CALLED "STOMP OUT DRUGS, WORK FOR LIFE", \$500  
TO CUMBERLAND ELEMENTARY SCHOOL FOR A "DRUG  
FREE LIVING" PROGRAM, \$500 TO SEXTON HIGH  
SCHOOL TO PROVIDE MATERIALS FOR AWARENESS AND  
SUBSTANCE ABUSE PROTECTION THROUGH THEIR HOME  
ROOM CLASSES, \$500 TO HARRY HILL ALTERNATIVE  
EDUCATION CENTER FOR A DRUG SEMINAR, \$500 TO  
DWIGHT RICH MIDDLE SCHOOL TO PROVIDE FUNDING  
FOR THE "BEAR WHOOP EXPRESS" A NEWSPAPER  
PROJECT THAT IS SUPPLIED WITH ARTICLES PROMOTING  
DRUG FREE LIFESTYLES AND A DRUG FREE ZONE AT  
THEIR SCHOOL, BY THEIR TYPING CLASSES. MAYOR  
HOLLISTER THANKED ALL OF THE PEOPLE WHO SERVE  
ON THE MAYOR'S DRUG FREE YOUTH TASK FORCE AND  
THE PEOPLE WHO CONTRIBUTED TO THE FUND RAISER.  
HE THANKED AND COMMENDED SHARON PETERS WHO  
DESIGNED THIS CITY-WIDE PROGRAM.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

PUBLIC HEARINGS

1. IN CONSIDERATION OF Z-17-96, 1300 BLOCK  
TURNER ST. (WEST SIDE), PETITION FOR REZONING  
FROM "H" LIGHT INDUSTRIAL TO "DM-3" RESIDENTIAL  
DISTRICTS FILED BY FERGUSON DEVELOPMENT LLC TO  
ALLOW FOR DEVELOPMENT OF 46 SINGLE-FAMILY  
RESIDENCES OF 2 & 3 BEDROOM CONDOMINIUM UNITS

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN SUPPORT  
OF THIS PROJECT.

REFERRED TO THE COMMITTEE ON DEVELOPMENT  
& PLANNING

2. IN CONSIDERATION OF AN ORDINANCE AMENDING  
CHAPTER 1026, SECTION 1026.02, TO PROVIDE  
FOR A ONE YEAR TIME LIMIT FOR CIRCULATION OF  
OWNERSHIP PETITIONS FOR PUBLIC IMPROVEMENTS TO  
BE FUNDED THROUGH THE SPECIAL ASSESSMENT  
PROCESS

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE  
COULD NOT MAKE SENSE OUT OF THIS PROPOSAL. HE  
CANNOT SEE A REASON FOR MAKING THIS AMENDMENT.

COUNCILMEMBER LILLY EXPLAINED THAT THE CURRENT

PROCEDURE FOR A CITIZEN PETITION FOR PUBLIC IMPROVEMENT IS; IF 51% OF THE RESIDENTS HAVE NOT SIGNED THE PETITION, IT IS KEPT ON FILE FOR A COUPLE OF YEARS UNTIL NEW RESIDENTS HAVE MOVED IN, AND ARE WILLING TO SIGN THE PETITION. THE AMENDMENT WOULD LIMIT THE PERIOD OF TIME SUCH A PETITION COULD BE KEPT ON FILE TO ONE YEAR.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

#### PUBLIC COMMENT ON LEGISLATIVE MATTERS

DARNELL OLDHAM, SR. OF 3815 BERWICK SPOKE IN OPPOSITION TO THE RESOLUTION SETTING A HEARING DATE TO CONSIDER THE PRESIDENT'S RECOMMENDATION FOR TERMINATION OF THE PRINCIPAL LEGISLATIVE ASSISTANT. THIS MAN HAS BEEN EMBARRASSED ENOUGH. WHY WOULD COUNCIL PUT HIM THROUGH FURTHER PUBLIC HUMILIATION? HE HAS NEVER WITNESSED SUCH A PUBLIC FORM OF TERMINATION OF EMPLOYMENT. THERE MUST BE A WAY TO BE MORE PRIVATE ABOUT THIS.

CITY ATTORNEY SMIERKA RESPONDED THAT THE CITY COUNCIL IS FOLLOWING "DUE PROCESS." THIS IS REQUIRED BY BOTH COUNCIL RULES AND THE STATE CONSTITUTION.

### **LEGISLATIVE MATTERS**

#### **RESOLUTIONS**

##### **RESOLUTION #119**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COUNCIL PRESIDENT AND COUNCIL VICE-PRESIDENT HAVE EXPRESSED AN INTENTION TO RECOMMEND TO THE CITY COUNCIL THE TERMINATION OF THE EMPLOYMENT OF THE CURRENT PRINCIPAL LEGISLATIVE ASSISTANT; AND

WHEREAS, THE COUNCIL DESIRES TO PROVIDE THE PRINCIPAL LEGISLATIVE ASSISTANT WITH NOTICE OF SUCH RECOMMENDATION AND PROPOSED ACTION AND ALSO PROVIDE HIM WITH AN OPPORTUNITY TO BE HEARD ON THE MATTER BEFORE THE CITY COUNCIL DELIBERATES ON OR DECIDES ON THE RECOMMENDATION.

NOW, THEREFORE, BE IT RESOLVED THAT A HEARING ON THE RECOMMENDATION OF THE TERMINATION OF THE PRINCIPAL LEGISLATIVE ASSISTANT BE HELD IN THE CITY COUNCIL CHAMBERS, TENTH FLOOR, CITY HALL, LANSING, MICHIGAN 48933, ON TUESDAY, THE 1ST DAY OF APRIL, 1997, AT 4:00 P.M.;

BE IT FURTHER RESOLVED THAT THE CITY ATTORNEY PROVIDE THE PRINCIPAL LEGISLATIVE ASSISTANT WITH THE FOLLOWING:

- (A) NOTICE OF THE PROPOSED ACTION OF TERMINATION;

- (B) THE DATE, TIME AND LOCATION OF THE HEARING; AND
- (C) A COPY OF THIS RESOLUTION.

BE IT FURTHER RESOLVED THAT THE CITY ATTORNEY INFORM THE PRINCIPAL LEGISLATIVE ASSISTANT OF HIS RIGHT TO HAVE A CLOSED SESSION AT THE HEARING, PURSUANT TO THE MICHIGAN OPEN MEETINGS ACT;

BE IT FURTHER RESOLVED THAT THE CITY ATTORNEY PROVIDE THE PRINCIPAL LEGISLATIVE ASSISTANT WITH A WRITTEN LIST OF REASONS WHY TERMINATION IS BEING RECOMMENDED BY COUNCIL PRESIDENT AND VICE PRESIDENT AND ANY DOCUMENTS WHICH MAY BE USED AT THE HEARING NO LATER THAN 5:00 P.M. ON MARCH 19, 1997;

BE IT FINALLY RESOLVED THAT THE PRINCIPAL LEGISLATIVE ASSISTANT CONTINUE ON PAID LEAVE OF ABSENCE UNTIL FURTHER ACTION OF THIS COUNCIL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### **RESOLUTION #120**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING (CITY) AND THE GREATER LANSING AMATEUR HOCKEY ASSOCIATION (GLAHA) HAVE CONSTRUCTED AN AIR-SUPPORTED DOME ICE RINK NORTH OF THE EXISTING OUTDOOR RINK AND WARMING SHELTER IN WASHINGTON PARK; AND

WHEREAS, THE INSTALLATION HAS BEEN OPENED AND UTILIZED IN ACCORDANCE WITH THE LICENSE AGREEMENT EXECUTED BETWEEN THE CITY AND GLAHA; AND

WHEREAS, THE LICENSE AGREEMENT PROVIDES FOR THE PROVISION OF PRIORITY ICE TIME TO GLAHA DURING THE "SEASON" WHICH RUNS FROM OCTOBER 1 TO MARCH 31; AND

WHEREAS, THE UTILIZATION OF THE FACILITY HAS BEEN ABOVE ALL EXPECTATIONS; AND

WHEREAS, PARAGRAPH TWENTY (20) OF THE LICENSE AGREEMENT PROVIDES THAT NO AMENDMENTS, MODIFICATIONS, OR ALTERATIONS OF THE TERMS OF THE THIS LICENSE AGREEMENT SHALL BE BINDING UNLESS IN WRITING AND APPROVED BY LANSING CITY COUNCIL; AND

WHEREAS, THE CITY AND GLAHA MUTUALLY DESIRE TO EXTEND THE TERMS OF THE LICENSE FOR AN ADDITIONAL PERIOD FROM APRIL 1, 1997 TO APRIL 30, 1997 AT HOURS TO BE MUTUALLY AGREED UPON BETWEEN THE PARTIES THERETO; AND

WHEREAS, GLAHA HAS AGREED TO PAY ADDITIONAL COSTS OF FIFTY (\$50.00) DOLLARS PER HOUR OVER AND BEYOND ORIGINAL COSTS CONTAINED IN THE

LICENSE AGREEMENT FOR A TOTAL OF ONE HUNDRED (\$100.00) DOLLARS PER HOUR TO COVER ALL ESTIMATED LABOR AND UTILITY COSTS; AND

WHEREAS, THE ESTIMATED REVENUE TO BE GENERATED IS IN THE AMOUNT OF THIRTEEN THOUSAND SIX HUNDRED (\$13,600) DOLLARS IF ALL HOURS DURING THIS ADDITIONAL MONTH ARE UTILIZED; AND

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL HEREIN APPROVES THE EXTENSION OF THE LICENSE AGREEMENT FOR A PERIOD OF APRIL 1, 1997 TO APRIL 30, 1997; AND

BE IT FURTHER RESOLVED, THAT THE LANSING CITY COUNCIL SHALL GRANT SAID MODIFICATION OR AMENDMENT IN ACCORDANCE WITH PARAGRAPH TWENTY (20) OF THE LICENSE AGREEMENT AND CONSISTENT WITH THE PROVISIONS REPRESENTED ABOVE; AND

BE IT FURTHER RESOLVED, THAT THE CITY COUNCIL THEREBY APPROVES THE EXTENSION OF THE LICENSE AGREEMENT BETWEEN THE CITY OF LANSING AND THE GREATER LANSING AMATEUR HOCKEY ASSOCIATION FOR THE PERIOD OF APRIL 1 - APRIL 30, 1997; AND

BE IT FINALLY RESOLVED, THAT THE MAYOR ON BEHALF OF THE CITY OF LANSING IS AUTHORIZED TO EXECUTE SUCH DOCUMENTS AS NECESSARY TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION FORTHWITH.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### **RESOLUTION #121**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, ROBERTA ALBERT OF 819 WEST BARNES AVENUE, TO FILL A VACANCY TO THE ELECTED OFFICERS COMPENSATION COMMISSION;

WHEREAS, THE COMMITTEE HAS REVIEWED HER APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HER APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT ROBERTA ALBERT BE APPOINTED TO THE ELECTED OFFICERS COMPENSATION COMMISSION FOR TERM TO EXPIRE IN OCTOBER, 1997.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### **OTHER BUSINESS**

##### PUBLIC COMMENT

KIM GONZALES OF 1104 PERSONS CT. SAID THAT SHE HOPES THAT GENERAL MOTORS HAS BEEN

LISTENING TO COUNCILMEMBER LILLY'S COMMENTS AND REALIZES THAT HE WAS NOT SPEAKING FOR THE RESIDENTS OF LANSING, BUT STRICTLY FOR HIMSELF. FURTHER, SHE HOPES THAT COUNCILMEMBER LILLY REALIZES THAT THE COMMENTS HE MADE DO NOT APPLY TO OTHERS. EVERYONE IN THIS COMMUNITY REAPS THE REWARDS GENERAL MOTORS BRINGS INTO THE CITY OF LANSING, INCLUDING COUNCILMEMBER LILLY, THROUGH THE USE OF OLDSMOBILE PARK. SHE IS APPALLED TO DISCOVER THAT COUNCILMEMBER LILLY FEELS THAT ALL GM WORKERS ARE DRUNKEN BOWLERS. SHE DOES NOT BOWL DRUNK, NOR DOES SHE DRIVE DRUNK.

LLOYD TEETS OF 116 E. ELM ST. COMPLAINED THAT THERE ARE TWENTY-THREE NON-LEGISLATIVE ITEMS ON TONIGHT'S AGENDA THAT THE PUBLIC IS NOT ALLOWED TO SPEAK ON. IN CHANGING COUNCIL RULE #19, COUNCILMEMBER LILLY DID TO THE PUBLIC WHAT THE STATE JOURNAL ARTICLE DID TO GM. HE STATED THAT HE HAS NEVER KNOWN THIS CITY COUNCIL TO NOT GIVE GM WHAT THEY WANT. HE STATED HIS PLEASURE OVER THE FACT THAT CITY COUNCIL HAS REINSTITUTED THE INVOCATION.

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH STATED HER BELIEF THAT DEBBIE STABENOW SHOULD "STEP UP TO THE PLATE" TO HELP THE CITIZENS OF THE CITY OF LANSING DEAL WITH THE MARCH FOR JUSTICE ISSUES. BOTH THE MARCHERS, AND THE CITIZENS WHO DO NOT SUPPORT THEM, DESERVE TO HAVE THIS CONTROVERSEY PUT BEHIND THEM. CONGRESSWOMAN STABENOW SHOULD EXERT HER INFLUENCE OVER THE DEPARTMENT OF JUSTICE TO SEE THAT THE INVESTIGATION INTO THE EDWARD SWANS INCIDENT IS COMPLETED AS EXPEDITIOUSLY AS POSSIBLE. THIS COMMUNITY NEEDS TO PUT THIS ISSUE TO REST AND MRS. STABENOW, AS BOTH A RESIDENT AND OUR ELECTED REPRESENTATIVE IN CONGRESS, OWES IT TO THE COMMUNITY TO BECOME INVOLVED AND HELP AS MUCH AS SHE CAN.

MELANIE ROGERS OF 409 W. WILLOW STATED THAT SHE HAS OWNED TWO ADJACENT HOUSES ON WILLOW ST. IN LANSING FOR OVER SEVEN YEARS. SHE HAS ADDRESSED COUNCIL EVERY WEEK FOR THE LAST SEVERAL WEEKS REGARDING A CONFLICT SHE IS HAVING WITH THE BUILDING SAFETY DIVISION. SHE CHRONICLED A LIST OF VIOLENT CRIMES THAT HAVE TAKEN PLACE IN HER NEIGHBORHOOD SINCE SHE HAS LIVED THERE, INCLUDING MURDER, RAPE, ROBBERY, PROSTITUTION AND DRUG USE. SHE FEELS THAT WHAT THE BUILDING SAFETY DIVISION HAS DONE TO HER FAMILY IS UNFAIR, WHEN ALL THEY HAVE TRIED TO DO IS BECOME PRODUCTIVE, RESPONSIBLE MEMBERS OF THIS COMMUNITY.

COUNCIL PRESIDENT BEAL ASKED MR. WIENER WHY IT IS THAT THE CITY IS PROSECUTING RESIDENT HOME OWNERS, RATHER THAN ABSENTEE LANDLORDS WHO OWN RENTAL PROPERTIES THAT ARE BOARDED UP HOUSES ACROSS THE CITY. THERE ARE TOO MANY HOUSES OUT OF COMPLIANCE ACROSS THE CITY FOR THIS WOMAN TO BE PROSECUTED IN THE MANNER THAT SHE HAS BEEN. SHE ASKED COUNCILMEMBER ALLEN TO HAVE THE PUBLIC SAFETY COMMITTEE TAKE



ANOTHER LOOK AT MRS. ROGERS SITUATION.

COUNCILMEMBER ALLEN INDICATED HER WILLINGNESS TO REVIEW THIS MATTER.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SAID THAT HE IS APPALLED THAT CITIZENS HAVE TO COLLECT PETITION SIGNATURES TO EFFECT THE REPEAL OF AN ILLEGAL ORDINANCE. IT SHOULD NOT BE NECESSARY TO GO THROUGH ALL OF THESE STUMBLING BLOCKS TO GET THE STORMWATER ENTERPRISE FUND ORDINANCE REPEALED WHEN IT WAS ILLEGAL TO BEGIN WITH. HE DEMANDED AN EXPLANATION AS TO WHY THEY HAVE TO GO TO THIS TROUBLE TO GET THIS CROOKED LAW REPEALED. THE MARCH FOR JUSTICE, HE SAID, WILL MARCH UNTIL JUSTICE HAS PREVAILED. THEY ARE NOT GOING TO GO AWAY UNTIL THEY GET RESULTS.

CITY ATTORNEY SMIERTKA RESPONDED TO MR. BRODIE WITH REGARD TO THE STORMWATER ENTERPRISE FUND ORDINANCE, SAYING, THE COURT OF APPEALS HAS RULED THAT THE STORMWATER ENTERPRISE FUND ORDINANCE IS A LEGAL ORDINANCE.

COUNCILMEMBER LILLY EXPLAINED THAT THE PETITIONS THAT ARE BEING CIRCULATED ARE NOT BEING CIRCULATED AS REFERENDUM PETITIONS. RATHER, THEY ARE GENERIC PETITIONS MEANT TO SHOW COUNCILMEMBERS THEIR SUPPORT FOR THE REPEAL OF THIS ORDINANCE. THIS IS NOT THE SAME PROCESS FOLLOWED BY MOST TO PLACE THE QUESTION OF CIVIL RIGHTS ON THE BALLOT FOR A VOTE OF THE PEOPLE.

COUNCILMEMBER JONES STATED THAT THE ISSUE OF THE REPEAL OF THIS ORDINANCE WILL BE ON THE AGENDA OF THE WAYS AND MEANS COMMITTEE ON APRIL 2, 1997, AND, IF THE COMMITTEE VOTES FAVORABLY, IT SHOULD BE ON THE CITY COUNCIL MEETING AGENDA FOR MONDAY, APRIL 7, 1997.

COUNCILMEMBER ALLEN STATED THAT HER CONCERN IS THE PERCEPTION THAT CITY COUNCIL HAS PUT SOMETHING OVER ON THE PUBLIC.

COUNCIL PRESIDENT BEAL REMINDED THE PUBLIC THAT THERE ARE FIVE (5) COUNCILMEMBERS, SEATED RIGHT NOW, THAT DID NOT VOTE FOR THE STORMWATER ENTERPRISE FUND ORDINANCE, INCLUDING HERSELF.

ALBERTA JORDAN, NO ADDRESS GIVEN, STATED THAT SHE ATTENDED A MEETING AT THE SOUTH SIDE POLICE PRECINCT, AND IT WAS THE SICKEST MEETING SHE HAS EVER SEEN IN HER LIFE. RACISM IN LANSING STILL EXISTS. PEOPLE ARE BEING DENIED INFORMATION AND ENCOURAGED TO LOSE THEIR SELF RESPECT. BLACK LEADERS HAVE SOLD THEIR PEOPLE OUT.

PETER BUNTON OF 3311 BRISBANE STATED THAT THE MARCH FOR JUSTICE WANTS THE FIRST ANNUAL POLICE & COMMUNITY RELATIONS CONFERENCE, WHICH IS SCHEDULED FOR MAY 17, 1997, TO BE RESCHEDULED. THERE IS A CONFLICT OVER THIS DATE, BECAUSE IT IS THE DATE OF THE MICHIGAN MARCHES INTO THE 21ST CENTURY PARADE. HE ASKED COUNCILMEMBERS TO TALK TO HUMAN RELATIONS AND

COMMUNITY SERVICES DIRECTOR, ART WALKER TO FACILITATE THE RESCHEDULING OF THIS EVENT.

COUNCIL PRESIDENT BEAL NOTED THAT IT IS ALSO LIKELY THAT THIS SATURDAY COULD BE THE DAY OF THE BUDGET WRAP-UP SESSION. SHE TOO, WOULD LIKE TO SEE THE CONFERENCE RESCHEDULED.

CONNIE DELANEY OF 3721 AURELIUS RD. SPOKE REGARDING THE INTENT OF THE STORMWATER ENTERPRISE FUND ORDINANCE. THIS ORDINANCE IS A FUNDING MECHANISM FOR A PROGRAM THAT IS NOT MANDATED, AND THEREFORE HAS NO NEED TO EXIST.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. DEMANDED A FAVORABLE VOTE ON HIS STORMWATER ENTERPRISE FUND FEE APPEAL AND AN IMMEDIATE 100% REFUND OF FEES THAT HE HAS ALREADY PAID. HE LIVES ON THE SOUTH SIDE OF LANSING, AND IT IS HIS UNDERSTANDING THAT EVERY CITIZEN OF THIS AREA SHOULD NOT HAVE TO PAY THIS FEE BECAUSE THE ENTIRE AREA HAS ALREADY HAD THEIR SEWERS SEPERATED. HE WANTS HIS MONEY BACK IMMEDIATELY, AND HE WANTS INTEREST ON THE FEE THAT HE PAID IN 1996. HE QUESTIONED THE TEMERITY OF ART WALKER AND MAYOR HOLLISTER IN MOVING FORWARD WITH THE POLICE & HUMANITY RELATIONS CONFERENCE WHEN THE LOCATION OF THE CONFERENCE IS INSUFFICIENT IN SIZE TO HOLD ALL OF THE PEOPLE WHO WILL BE IN ATTENDANCE.

TOM HERNLY OF 3425 PALMER ST. SPOKE REGARDING THE FIASCO INVOLVING THE NOTICES OF APPEAL HEARINGS ON STORMWATER ENTERPRISE FUND FEES THAT WENT OUT WITH THE WRONG DATES ON THEM. SUBSEQUENTLY A CORRECTED LETTER WENT OUT, HOWEVER, THE SECOND LETTER DID NOT LEAVE APPLICANTS A SUFFICIENT AMOUNT OF TIME TO PREPARE FOR THE HEARING.

RICHARD FISER OF 12100 S. CORK RD. SAID THAT HE IS SURE THAT THERE ARE ENOUGH OTHER COUNCILMEMBERS WHO FEEL AS STRONGLY AS COUNCILMEMBER LILLY ABOUT REPEALING THE STORMWATER ENTERPRISE FUND ORDINANCE. HE ENCOURAGED ALL COUNCILMEMBERS TO VOTE THE WAY THEIR CONSTITUENTS WANT THEM TO ON THIS ISSUE, RATHER THAN THE WAY THEIR CAMPAIGN CONTRIBÜTORS WANT THEM TO VOTE. HE IS EQUALLY CERTAIN THAT COUNCILMEMBERS REALIZE THAT THERE ARE OTHER MEANS OF GETTING CAMPAIGN MONIES AND THAT THEY KNOW THEY HAVE BEEN MISLED ON THIS ISSUE.

HELEN FISER OF 12100 S. CORK ASKED THAT THE PUBLIC SERVICE DIRECTOR ADDRESS THE PROBLEMS WITH THE APPEALS LETTERS FOR THE 1997 STORMWATER ENTERPRISE FUND FEES.

AMMAHAD SHEKARAKKI OF 902 W. WILLOW THANKED EVERYONE WHO HAS BEEN MEETING WITH THE MARCH FOR JUSTICE ON SATURDAYS. HE ANNOUNCED THAT THE MARCH FOR JUSTICE WILL CONDUCT ANOTHER MARCH IN APRIL WHICH WILL BEGIN AT J.W. SEXTON HIGH SCHOOL AT 9:30 A.M. HE URGED PEOPLE TO JOIN THEM AND TO SUPPORT THEIR CONCEPT OF A CITIZENS

REVIEW BOARD TO MONITOR THE POLICE DEPARTMENT.

### CITY OFFICERS & BOARD REPORTS

1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

2. LETTERS FROM THE CITY ATTORNEY RE:

A. MCKANE V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. GREAT LAKES BANCORP V GREEN OAK ENTERPRISES, RUTH KRUGER AND CITY OF LANSING

RECEIVED AND PLACED ON FILE

C. STEPHEN LAMAR HALL V CITY OF LANSING

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE PRINCIPAL SHOPPING DISTRICT BOARD OF DIRECTORS SUBMITTING INFORMATIONAL MATERIAL ABOUT THE PSD AND URGING ATTENDANCE AT THEIR MEETINGS

RECEIVED AND PLACED ON FILE (INFORMATION ONLY COPY TO THE PUBLIC SERVICE COMMITTEE)

4. ELECTED OFFICERS COMPENSATION COMMISSION RULES OF PROCEDURE

RECEIVED AND PLACED ON FILE

5. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: CITY ATTORNEY, GENERAL ADMINISTRATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. LETTER OF APPRECIATION FROM DEPUTY GLENN C. TURCOTTE, INGHAM COUNTY ANIMAL CONTROL TO LPD OFFICERS TODD JOHNSON AND SELEO DAVID

RECEIVED AND PLACED ON FILE

C. REQUEST FOR THE USE OF OLDSMOBILE PARK ON SUNDAY, JUNE 22, 1997 FROM THE OLD-TIMER'S BASEBALL ASSOCIATION

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

D. PUBLIC IMPROVEMENT I, MT. HOPE AVE.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. EMERGENCY MANAGEMENT ORDINANCE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. CONSUMER PROTECTION ORDINANCE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

G. EMERGENCY PURCHASE; BORNER RESTORATION PHASE I AND BORNER RESTORATION FOR THE REMOVAL OF LOOSE CONCRETE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

H. TRANSPORTATION INFRASTRUCTURE STATUS REPORT

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

I. LETTER OF APPRECIATION FROM WILLIAM G. MARX TO DAN KRIEGBAUM AND THE CITY OF LANSING AMBULANCE SERVICE

RECEIVED AND PLACED ON FILE

J. ACT-26-96; AURELIUS ROAD LANDFILL

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

### COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. PETITION CONTAINING 296 SIGNATURES REQUESTING REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY SUBMITTING THE RESULTS OF A PRETREATMENT AUDIT AT THE LANSING WASTEWATER TREATMENT PLANT CONDUCTED IN RELATION TO THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT #M10023400

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

3. LETTER FROM SGT. MICHAEL NORRIS OF THE LPD REGARDING HIS RECENT TRIP TO JAPAN AS PART OF LANSING'S FIRST POLICE EXCHANGE PROGRAM

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. LETTER FROM MARY AND JAMES KNIGHTWRIGHT OF 149 N. MYRTLE AVE., VILLA PARK, IL REFUSING A

CLAIM SETTLEMENT OFFERED TO THEM

REFERRED TO THE CITY ATTORNEY

5. LETTER FROM ATTORNEYS ON BEHALF OF KRISTINE JOHNSON, NO ADDRESS GIVEN, DISPUTING A BILL FROM THE POLICE DEPARTMENT

REFERRED TO THE CITY ATTORNEY

6. LETTER FROM CHRISTINE TIMMON TO CONGRESSWOMAN DEBBIE STABENOW, REQUESTING HER INTERVENTION WITH THE MARCH FOR JUSTICE ISSUES

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. LETTER FROM MICHAEL AND DIANNE ALEXANIAN, DIRECTORS OF THE SHAKUNAGE CULTURAL FOUNDATION IN SUPPORT OF LPD COMMUNITY POLICING ACTIVITIES

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8. LETTERS FROM RICHARD & HELEN FISER RE:

- DISCLOSURE OF INFORMATION REGARDING THE CITY OF LANSING NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT RENEWAL
- REQUESTING THE PLACEMENT OF THE FOLLOWING ISSUES ON THE MARCH 17, 1997 AGENDA FOR DISCUSSION: STORMWATER ENTERPRISE FUND ORDINANCE, CLEAN WATER ACT, NPDES PERMIT, THE REACTION OF THE PRESENT ADMINISTRATION WITH REGARD TO CITIZEN INTEREST IN THESE ISSUES

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

9. LETTER FROM AUTO AIR COMPOSITES, INC. REQUESTING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR AUTO AIR COMPOSITES, INC.

REFERRED TO THE ECONOMIC DEVELOPMENT BOARD OF TRUSTEES

10. LETTER FROM DAVID L. JUDGE OF 2409 DILLINGHAM REQUESTING THE REMOVAL OF GRAFFITI FROM A CITY "SCHOOL CROSSING" SIGN ON DILLINGHAM

REFERRED TO THE MAYOR

11. LETTER FROM DARNELL E. OLDHAM, SR. REQUESTING A 100% EXEMPTION FROM THE REQUIREMENTS OF THE STORMWATER ENTERPRISE FUND ORDINANCE AND A REFUND OF FEES ALREADY PAID

REFERRED TO THE PUBLIC SERVICES DEPARTMENT AND THE COMMITTEE ON GENERAL SERVICES

12. LETTER FROM BARBARA LUOMA OF JERRY'S AUTOMOTIVE OF 5544 S. MARTIN LUTHER KING, JR. BLVD. PROTESTING A REQUEST FROM SILVERSTONE,

LDHA FOR THE PAYMENT OF A SERVICE CHARGE IN LIEU OF TAXES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

13. 111 POSTCARDS REQUESTING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

### MOTION OF EXCUSED ABSENCE

BY COUNCILMEMBER LILLY

TO EXCUSE COUNCILMEMBER NOVAK FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER SAID THAT SHE IS DEEPLY CONCERNED ABOUT THE ARTICLE THAT APPEARED IN THE STATE JOURNAL AND THE QUOTES THAT WERE ATTRIBUTED TO COUNCILMEMBERS. SOME OF THESE QUOTES ARE SENDING THE WRONG MESSAGE TO OUR COMMUNITIES LARGEST EMPLOYER. SHE IS CONFIDENT THAT GM WILL STAY WITH LANSING FOR THE NEXT 100 YEARS. THEY PROVIDE 15,000 JOBS TO THE AREA AND PAY MILLIONS OF DOLLARS OF TAXES. THEY GENERATE AND DONATE MILLIONS OF DOLLARS TO THE COMMUNITY. THIS IS NOT THE TIME TO PUT LANSING'S PLACE IN GENERAL MOTORS FUTURE IN JEOPARDY. WE NEED TO CONCENTRATE ON MAKING SURE THAT WE CREATE THE MOST IMPORTANT, PRODUCTIVE CORPORATE MANUFACTURING BASE IN EXISTENCE. SHE URGED HER COLLEAGUES TO LOOK TO THE FUTURE AND WORK TOGETHER TO PROVIDE A CLIMATE IN WHICH GM FEELS THAT IT IS TO THEIR TOTAL BENEFIT TO STAY IN LANSING.

COUNCILMEMBER LILLY SAID THAT HE NEVER MADE THE STATEMENTS THAT WERE ATTRIBUTED TO HIM IN THE STATE JOURNAL. HIS RECORD IS ABSOLUTELY CLEAR. NEVER HAS HE VOTED AGAINST ANYTHING THAT GM HAS ASKED COUNCIL FOR, NOR HAS HE EVER FAILED TO SUPPORT THE UAW. IN FACT, IT WAS HIS VOTE THAT WAS SWITCHED ON THE ODOR EMISSIONS PROBLEM AT THEIR VERLINDEN ST. PLANT, AND BECAME THE FIFTH VOTE NECESSARY TO APPROVE THEIR TAX ABATEMENT RESOLUTION. TO SAY THAT HE IS ANTI-GENERAL MOTORS SIMPLY IGNORES THE FACTS OF HIS 10 YEARS OF PUBLIC SERVICE. LANSING AREA GOVERNMENTS HAVE GRANTED GM OVER 15 TAX ABATEMENTS CONSISTING OF OVER \$9,000,000, SAVING GENERAL MOTORS OVER \$16,000,000 SINCE 1986. IN THAT PERIOD OF TIME, WE HAVE SEEN EMPLOYMENT DROP BY OVER 3,000 PEOPLE AND 7,000 JOBS CUT. GENERAL MOTORS CLAIMS THAT THIS COUNCIL IS ANTI-BUSINESS. THIS IS A LIE. THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS CONSIDERED OVER 115 PROJECTS THAT AFFECT BUSINESS AND INDUSTRIAL GROWTH IN LANSING. THEY HAVE PASSED OVER 108 OF THEM. GENERAL MOTORS HAS SAID THAT IT IS THEIR INTENT TO STAY IN LANSING

THROUGH 2002, BUT THEIR TAX ABATEMENTS REQUIRE THEM TO REMAIN IN LANSING THROUGHOUT THE TERM OF THE AGREEMENT. LEAVING LANSING AT ANY TIME PRIOR TO THE EXPIRATION OF THE TAX ABATEMENT AGREEMENTS COULD MAKE THOSE ABATEMENTS SUBJECT TO REVOCATION BY THE STATE OF MICHIGAN AND RENDER ANY FUTURE ABATEMENTS BY MICHIGAN CITIES IMPOSSIBLE. GENERAL MOTORS IS LOGISTICALLY COMMITTED TO LANSING UNTIL THE YEAR 2012 UNDER THESE CONDITIONS. ADDITIONALLY, GM IS NOT THE AREAS LARGEST EMPLOYER. THAT HONOR GOES TO MSU, WITH THE STATE OF MICHIGAN BEING SECOND LARGEST AND GENERAL MOTORS COMING IN IN THIRD PLACE. GENERAL MOTORS HAS RECENTLY RETIRED THE GENERAL MANAGER THAT WAS THE MOST "LANSING FRIENDLY" MANAGER THEY HAVE EVER HAD. THEY HAVE MADE NO COMMITMENT TO THE BOARD OF WATER & LIGHT VISION CENTER. THE TRUE COMMITMENT THEY HAVE MADE TO LANSING IS TO REDUCE THE WORK FORCE BY OVER 7,000 JOBS IN THE LAST 15 YEARS. THEY HAVE CLOSED THEIR CORPORATE HEADQUARTERS IN LANSING AND MOVED IT TO DETROIT. NOT ONLY THAT, THEY TOOK AWAY OUR NATIONAL IDENTITY WHEN THEY TOOK AWAY THE NAME OLDSMOBILE AND NAMED THEMSELVES THE GENERAL MOTORS SMALL CAR GROUP. HE HAS SERIOUS QUESTIONS ABOUT HOW MUCH CORPORATE GENERAL MOTORS IS COMMITTED TO STAYING IN LANSING. THIS CITY NEEDS TO LOOK AT HOW TO DIVERSIFY OUR ECONOMY SO THAT, IF GENERAL MOTORS DOES CLOSE THEIR DOORS IN LANSING, WE MAY SUSTAIN THE LOSSES. THERE IS NOTHING SAYING, EVEN IN THE TAX ABATEMENTS, THAT THEY ARE COMMITTED TO LANSING FOR MORE THAN 13 YEARS. HE STATED HIS APOLOGY TO RICH MURRAY, PRESIDENT OF THE GREATER LANSING BOWLING ASSOCIATION, FOR THE IMPRESSION THAT HIS COMMENTS GAVE TO THIS GROUP. THIS WAS NOT INTENTIONAL, AND HE MEANT NO INSULT.

COUNCILMEMBER JONES SUPPORTED COUNCILMEMBER LILLY'S STATEMENT THAT LANSING NEEDS MORE DIVERSITY WITHIN IT'S ECONOMIC BASE. ONE OF THE MOST IMPORTANT DECISIONS THE CITY EVER MADE WAS TO DIVERSIFY IN THE FIRMS THAT WERE BEING LOCATED ON THE DIAMOND REO PROPERTY. AT ONE TIME GENERAL MOTORS WAS INTERESTED IN THIS PROPERTY, BUT THAT DID NOT COME TO PASS, AND NOW THERE IS A BLEND OF INDUSTRIAL, COMMERCIAL AND OTHER TYPES OF BUSINESS ON THIS SITE. WE CANNOT RELY SO MUCH ON AN INDUSTRY THAT IS SO DEPENDENT ON THE WORLD MARKET. MANY OF THE JOBS THAT WE HAVE LOST HAVE GONE TO MEXICO AND NORTH AMERICA RATHER THAN STAYING IN MICHIGAN. HE RECOMMENDED ANYONE LOOKING FOR A GOOD READ TAKE A LOOK AT "ANGELA'S ASHES" THE STORY OF THE STRUGGLE OF IRISH IMMIGRANTS PRIOR TO EMIGRATING TO OUR COUNTRY. HE WISHED HAPPY ST. PATRICK'S DAY TO ALL IRISHMEN.

COUNCILMEMBER LEEMAN SAID THAT THE ISSUE OF THE RENEWAL OF THE CITY OF LANSING NPDES PERMIT WILL BE ON THE AGENDA OF THE PUBLIC SERVICES COMMITTEE THIS WEDNESDAY, AND HE HOPES THAT THE PUBLIC SERVICES DIRECTOR WILL MAKE SURE THAT COPIES OF THE PUBLIC SERVICE BOARD AGENDAS GET MAILED OUT TO THOSE MEMBERS OF THE PUBLIC THAT

WANT TO HAVE THEM. WITH REGARD TO THE MIX-UP OVER THE APPEALS LETTERS, HOPEFULLY, THIS WILL NOT HAPPEN AGAIN, AND HE WOULD LIKE AN EXPLANATION OF WHAT HAPPENED. MR. WIENER RESPONDED THAT MRS. JADUN WOULD PROVIDE AN EXPLANATION LATER IN THE MEETING WHEN IT IS HIS TURN TO SPEAK. COUNCILMEMBER LEEMAN STATED HIS PIQUE THAT THE STATE JOURNAL REPORTER WHO CALLED AND INTERVIEWED HIM FOR 20 MINUTES DID NOT USE ANY QUOTES FROM HIM.

COUNCILMEMBER ALLEN AGREED WITH THE FRUSTRATION OF COUNCILMEMBER LEEMAN OVER THE AMOUNT OF TIME SHE SPENT TALKING WITH THE STATE JOURNAL REPORTER, ONLY TO BE LEFT OUT OF THE ARTICLE. GENERAL MOTORS RANKS AS THE THIRD LARGEST EMPLOYER IN LANSING AND IT IS IN OUR BEST INTERESTS TO KEEP THEM HERE AS LONG AS WE CAN DO SO. WE SHOULD TAKE A LOOK AT WHAT OTHER LOCALITIES ARE OFFERING GENERAL MOTORS TO ENTICE THEM INTO THEIR CITIES. SHE HOPES THAT LANSING WILL NOT HAVE TO SUFFER THE LOSS OF GM, EVEN IF WE DO DIVERSIFY OUR FINANCIAL BASE. WE WANT TO KEEP THEM HERE, AND WE WANT TO KEEP 'MAKING IT HAPPEN.'

COUNCILMEMBER BENAVIDES SAID THAT HE WAS SURPRISED TO SEE THE ARTICLE IN THE NEWSPAPER. HE HAS BEEN A RESIDENT OF LANSING FOR 45 YEARS, AND HIS FAMILY HAS KNOWN NO OTHER EMPLOYMENT THAN THAT OF GM. THEY HAVE BEEN VERY GENEROUS TO THIS COMMUNITY, NOT ONLY WITH THEIR CORPORATE DOLLARS, BUT WITH VOLUNTEERS WORKING FOR THE GOOD OF THE COMMUNITY. IF THEY PULL OUT OF LANSING, IT WILL BE VERY DEVASTATING TO LANSING AND COULD CRIPPLE US. FIFTEEN THOUSAND PEOPLE IS A LOT OF PEOPLE TO SUPPORT ON WELFARE.

COUNCILMEMBER BEAL SAID THAT SHE TOO, IS MYSTIFIED BY THE COMMENTS IN THE STATE JOURNAL ARTICLE ATTRIBUTED TO COUNCILMEMBER LILLY. SHE CANNOT BELIEVE HOW OUT OF CONTEXT THEY WERE IN COMPARISON TO THE STATEMENTS HE MADE TO THE REPORTER. IT IS TOUGH, IN THIS BUSINESS, TO FIGURE WHOSE INTERESTS YOU HAVE TO LOOK OUT FOR, BUSINESS, OR RESIDENTS. ACTUALLY, WHAT THIS ARTICLE IS ALL ABOUT, IS THE STORMWATER ISSUE. THAT IS WHAT IS UNDERLYING ALL OF THIS HOOPLA. COUNCIL IS BEING ENCOURAGED TO KEEP THE STATUS QUO AND NOT BECOME ANTI-BUSINESS. GENERAL MOTORS HAS STEPPED UP TO THE PLATE MANY TIMES TO BENEFIT THE CITY AND IT'S RESIDENTS. SHE HAS COMPLIMENTED MAYOR HOLLISTER FOR HIS DEALINGS WITH GENERAL MOTORS. SHE WISHES THAT THE STATE JOURNAL WOULD LAY OFF COUNCILMEMBERS IN THIS, AN ELECTION YEAR. JUST BECAUSE THERE IS NO STRONG CANDIDATE OPPOSING MAYOR HOLLISTER IN THIS ELECTION, AND THE STATE JOURNAL WANTS ELECTION TURMOIL, THEY ARE PUTTING PRESSURE ON THE COUNCILMEMBERS WHO MUST RUN FOR RE-ELECTION. SHE WISHED A HAPPY 49TH BIRTHDAY TO HER BROTHER, ANDY.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER ANNOUNCED A NUMBER OF CONSTRUCTION PROJECTS BEGINNING SOON; THE CSO PROJECT ON SAGINAW NEAR FOSTER AVE WILL BRING TRAFFIC DOWN TO 2 LANES, CONSTRUCTION ON FERNWOOD NEAR FRANCIS WILL AFFECT TRAFFIC, AND RECONSTRUCTION OF THE CEDAR ST. BRIDGE BETWEEN ELM ST. AND BAKER ST. WILL LIMIT TRAFFIC TO ONE LANE IN EACH DIRECTION. HE SAID THAT THE MEETING ON THE NPDES PERMIT WAS ON THE PERMIT FOR THE WASTEWATER TREATMENT PLANT, NOT ON THE PERMIT FOR THE STORMWATER PROJECT. HE INTRODUCED LENORA JADUN, DIRECTOR OF THE PUBLIC SERVICE DEPARTMENT AND ASKED HER TO ANSWER THE QUESTIONS OF COUNCILMEMBERS.

MRS. JADUN SAID THAT THE PUBLIC MEETING THAT WAS HELD ON THE APPLICATION FOR THE WASTEWATER TREATMENT PLANT NPDES PERMIT WAS HELD MERELY AS A CONCESSION TO THE PUBLIC. HERETOFORE, THIS PROCESS HAS BEEN COMPLETELY ADMINISTRATIVE. THE PUBLIC SERVICE DEPARTMENT COMPLETED THE APPLICATION AND IT WAS SUBMITTED BY THE MAYOR TO THE DEQ (FORMERLY THE DEPARTMENT OF NATURAL RESOURCES.) BY APRIL 1ST. THIS SUBJECT HAS BEEN DISCUSSED MANY TIMES IN THE PUBLIC SERVICES COMMITTEE. EVERY FIVE YEARS THE CITY HAS TO REFILE FOR THE WWTP DISCHARGE PERMIT. THIS PARTICULAR YEAR, THE ADMINISTRATION DECIDED TO GIVE THE PUBLIC AN ADDITIONAL OPPORTUNITY FOR PUBLIC INPUT. THEY TOOK THE DRAFT PERMIT APPLICATION TO THE PUBLIC SERVICES BOARD MEETING LAST TUESDAY, AND PUBLISHED A NOTICE OF THE MEETING IN THE STATE JOURNAL. THIS IS NOT A REQUIREMENT OF THE REGULAR FILING OF THIS PERMIT APPLICATION. THE APRIL 1ST DEADLINE IS THE DEADLINE FOR THE SUBMISSION OF THE DRAFT APPLICATION FOR THE PERMIT. THEY HAVE UNTIL JULY 1ST TO FINALIZE THE PERMIT APPLICATION. THE DEQ WILL ISSUE A FINAL PERMIT IN OCTOBER 1997 THAT AUTHORIZES THE OPERATION OF THE WWTP FOR THE NEXT FIVE YEARS. WHAT EVERYONE IS COMPLAINING ABOUT, IS THE ACT OF OPENING THIS PROCESS UP AND MAKING IT MUCH MORE ACCESSIBLE TO THE PUBLIC THAN IT HAS BEEN IN THE PAST, OR THAN IT IS REQUIRED TO BE. THE DEQ IS THE AGENCY THAT HAS THE RIGHT TO RECEIVE AND ACCEPT SIGNIFICANT PUBLIC COMMENT ON ENVIRONMENTAL CONCERNS. THEY ARE THE ONES THAT WILL REALLY HAVE THE PUBLIC HEARING AND PROVIDE NOTICE TO THE RESIDENTS. THE APPLICATION FOR THIS PERMIT HAS BEEN THE SUBJECT OF DISCUSSION BY THE PUBLIC SERVICE COMMITTEE SINCE JANUARY OF 1996. SHE URGED EVERYONE TO ATTEND THIS SATURDAY'S MEETING.

COUNCILMEMBER ALLEN ASKED MRS. JADUN FOR THE SPECIFIC LOCATION OF THE MANDATE FOR THE RENEWAL OF THE NPDES PERMIT. MRS. JADUN RESPONDED THAT THE DEQ IS THE AUTHORIZED AGENCY OF THE EPA WHO ISSUES THE PERMITS TO DISCHARGE FROM THE WWTP. THIS PERMIT IS A REQUIREMENT OF THE FEDERAL CLEAN WATER ACT. COUNCILMEMBER ALLEN ASKED MRS. JADUN WHEN THE CITY WAS FIRST REQUIRED TO FILE FOR THIS PERMIT. MRS. JADUN

RESPONDED THAT IT WAS SOMETIME IN THE LATE 1970'S.

COUNCILMEMBER LEEMAN SUGGESTED THAT THE PUBLIC SERVICE BOARD AGENDA SHOULD HAVE BEEN MAILED OUT TO THE PEOPLE WHO WERE INTERESTED IN THIS MEETING. MAYBE, THEY COULD CONTACT THE PUBLIC SERVICE BOARD TO BE PUT ON A MAILING LIST TO RECEIVE THEIR AGENDAS. MRS. JADUN AGREED THAT ANYONE INTERESTED IN RECEIVING COPIES OF THE PUBLIC SERVICE BOARD AGENDAS COULD CALL THE PUBLIC SERVICE DEPARTMENT TO RECEIVE THEM AT 483-4455. COUNCILMEMBER LEEMAN THEN ASKED MRS. JADUN TO COMMENT REGARDING THE MIX-UP WITH THE APPEALS LETTERS. MRS. JADUN ANSWERED THAT THE FIRST LETTERS WITH THE WRONG DATE OCCURRED BECAUSE A FORM LETTER WAS NOT CORRECTLY UPDATED ON A WORD PROCESSOR, HOWEVER CORRECTIONS WERE SENT OUT IN GOOD TIME.

MR. WIENER CONTINUED; IN ALL OF THE DISCUSSION THAT HAVE BEEN HELD ON THIS SUBJECT, IT HAS BEEN ACKNOWLEDGED THAT WE ARE REQUIRED UNDER FEDERAL LAW NOT TO DISCHARGE WASTEWATER INTO THE RIVER. THAT IS THE BASIS UNDER WHICH WE MUST OPERATE. HOW WE PREVENT THIS DISCHARGE, AND HOW WE PAY FOR THE PREVENTION OF THE DISCHARGE IS THE SUBJECT THAT IS OPEN TO DEBATE. COUNCILMEMBERS HAVE INDICATED THAT THEY ARE INTERESTED IN ALTERNATIVE FUNDING MECHANISMS. THEY ARE NOT SAYING THAT WE ARE NOT OBLIGATED TO PREVENT THE DISCHARGE INTO THE RIVER, JUST THAT WE ARE LOOKING AT ALTERNATIVE PAYMENT SYSTEMS.

REGARDING THE ROLL OF GENERAL MOTORS IN THE LANSING COMMUNITY, THE MAYOR IS FOCUSING HIS GOALS ON EDUCATION AND EDUCATING THE PEOPLE WHO WILL BE ABLE TO TAKE THESE JOBS FOR THE FUTURE. WE MUST HAVE A SKILLED WORK FORCE IN LANSING, IN ORDER TO KEEP GM HERE IN THE FUTURE. THIS DISCUSSION IS NOT JUST ABOUT GENERAL MOTORS, BUT ABOUT QUALITY EDUCATION AND OUR ABILITY TO HAVE DIVERSIFICATION IN A WORLD MARKET.

**ADJOURNED 9:00 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MARCH 24, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE  
LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
MARCH 17, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER ALLEN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER ALLEN; A LETTER FROM  
DIANA EVANS, NO ADDRESS GIVEN, REQUESTING THE  
INSTALLATION OF A PEDESTRIAN TRAFFIC SIGNAL AT THE  
INTERSECTION OF WILLOW ST. AND GRAND RIVER AVE.

2. FROM COUNCILMEMBER ALLEN; A RESOLUTION  
FROM THE COMMITTEE ON PUBLIC SAFETY REGARDING  
THE SCHEDULED DATE OF THE FIRST ANNUAL POLICE  
& COMMUNITY RELATIONS CONFERENCE

3. FROM COUNCILMEMBER ALLEN; A REQUEST THAT  
THE RULES BE SUSPENDED TO ADD A SPECIAL  
CEREMONY TO ALLOW FOR A PRESENTATION BY THE  
RETIRED & SENIOR VOLUNTEERS GROUP AND THE  
EVERETT HIGH SCHOOL EXCELLERS PROGRAM

4. FROM COUNCILMEMBER LEEMAN; A REQUEST THAT  
THE RULES BE SUSPENDED TO ALLOW FOR THE  
ADDITION OF A SPECIAL CEREMONY TO ALLOW MAYOR  
HOLLISTER TO PRESENT A PROCLAMATION REGARDING  
COMMUNITY DEVELOPMENT WEEK

5. FROM COUNCILMEMBER LEEMAN; A LETTER FROM  
THE HOSMER ST. NEIGHBORHOOD ASSOCIATION  
REGARDING PARKING PROBLEMS THEY ARE HAVING

6. FROM COUNCILMEMBER LILLY; A RESOLUTION  
AUTHORIZING THE PURCHASE OF PROPERTY LOCATED  
AT 216 E. GRAND RIVER (FORMERLY THE CLASSIC  
CAT)

7. FROM COUNCILMEMBER LILLY; A RESOLUTION  
AUTHORIZING CONSTRUCTION IN PARKING LOT B-1

8. FROM COUNCILMEMBER LILLY; AN AGREEMENT  
BETWEEN THE CITY AND FERGUSON DEVELOPMENT,  
LLC, FOR THE SALE OF PROPERTY LOCATED IN THE  
1300 BLOCK OF N. TURNER ST.

(LATE ITEMS WILL BE CONSIDERED DURING THE  
PORTION OF THE REGULAR MEETING TO WHICH  
THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► SPECIAL CEREMONIES

A. COUNCILMEMBER ALLEN INTRODUCED MEMBERS OF  
THE RETIRED SENIOR VOLUNTEER PROGRAM (RSVP)  
AND STUDENTS OF EVERETT HIGH SCHOOLS'  
'EXCELLERS' PROGRAM. THESE TWO GROUPS  
COLLABORATED ON A BOOKLET ENTITLED "LANSING  
YESTERDAY, TODAY & TOMORROW, WHERE DO WE  
GO FROM HERE, LIFE EXPERIENCES OF RESIDENTS  
OF THE CITY OF LANSING BEFORE THE CIVIL RIGHTS  
MOVEMENT". THIS PUBLICATION SEEKS TO IMPROVE  
INTER-RACIAL COMMUNICATIONS IN LANSING.

B. MAYOR HOLLISTER PRESENTS HIS 1997-  
1998 CITY OF LANSING PROPOSED BUDGET

CONTINUITY, COMMITMENT, AND FISCAL  
STRENGTH

*PRESIDENT BEAL, COUNCIL MEMBERS, AND LANSING  
CITIZENS. IT IS MY HONOR TO PRESENT TO YOU MY  
BUDGET MESSAGE FOR FISCAL YEAR 1997-98.  
TONIGHT I WILL HIGHLIGHT THE FINANCIAL CONDITION OF  
THE CITY AND SUMMARIZE MY RECOMMENDED BUDGET  
PRIORITIES FOR THE COMING FISCAL YEAR. MY  
ADMINISTRATION THEN WILL SEEK TO BUILD A  
CONSENSUS ON THE BUDGET WITH COUNCIL AND THE  
PUBLIC DURING THE COMING WEEKS. I PLEDGE THE  
FULL ASSISTANCE AND COLLABORATION OF MY STAFF IN  
ANSWERING YOUR QUESTIONS AND WORKING TOGETHER  
TO PASS A BUDGET THAT BEST MEETS THE NEEDS OF  
OUR COMMUNITY.*

AN HONESTLY BALANCED CONTINUATION BUDGET

*THE 1997-98 BUDGET RECOMMENDATION IS BASED  
ON MY CONTINUING PHILOSOPHY OF PRESENTING AN  
HONESTLY BALANCED BUDGET WITH NO USE OF FUND*

BALANCES OR ACCOUNTING GIMMICKS. RECOMMENDED GENERAL FUND EXPENDITURES OF \$93.6 MILLION ARE FULLY SUPPORTED BY PROJECTED REVENUES OF \$93.6 MILLION. THIS REPRESENTS AN INCREASE OF ABOUT 4% IN REVENUES AND EXPENDITURES OVER THE ENACTED FY 1996-97 BUDGET. THE BUDGET ALSO IS BASED ON 17.1 MILLS FOR OPERATING PURPOSES AND DEBT SERVICE, A DECREASE OF 0.3 MILLS FROM THE CURRENT YEAR.

#### KEY BUDGET ASSUMPTIONS AND PRINCIPLES

MY BUDGET RECOMMENDATION IS BASED UPON FIVE KEY ASSUMPTIONS AND PRINCIPLES. FIRST, IT ASSUMES 4% REVENUE GROWTH FOR FY 1997-98, BUT ALSO RECOGNIZES THAT MOST OF OUR KEY REVENUE SOURCES ARE PROJECTED TO GROW BY ONLY 3%. SECOND, THE BUDGET ASSUMES CONTINUATION OF THE PROGRAMS AND POLICIES WE HAVE COLLECTIVELY BUILT, BUT CONTAINS NO NEW MAJOR PROGRAMMATIC INITIATIVES. THIRD, IT REFLECTS OUR ON-GOING EMPHASIS ON PRUDENT FINANCIAL MANAGEMENT POLICIES AND ON INCREASED INFRASTRUCTURE FUNDING. FOURTH, IT INCLUDES A MODEST TAX CUT FOR LANSING RESIDENTS, BASED ON THE PRINCIPLE THAT TAXPAYERS SHOULD REALIZE SAVINGS RESULTING FROM SOUND MANAGEMENT AND FAVORABLE ECONOMIC CONDITIONS WHENEVER POSSIBLE. AND FINALLY, THE BUDGET ASSUMES A SOLID, NEAR FULL EMPLOYMENT ECONOMY AND THE WIDESPREAD BENEFITS A HEALTHY ECONOMY BRINGS.

I WANT TO EMPHASIZE THAT THE ASSUMPTION OF A STRONG LOCAL ECONOMY IS PREDICATED HEAVILY ON OUR COLLABORATION AND GOOD WORKING RELATIONSHIPS WITH GENERAL MOTORS AND OUR OTHER MAJOR EMPLOYERS IN THE COMMUNITY. A MODERN ECONOMY CANNOT PROSPER IN A CLIMATE OF ANTAGONISM BETWEEN CITY GOVERNMENT AND BUSINESS, LABOR, OR OTHER ACTORS WHO ARE KEY TO OUR ECONOMIC DEVELOPMENT. THIS COMMUNITY APPRECIATES THE NEARLY 16,000 JOBS AND \$1.6 BILLION THAT GENERAL MOTORS BRINGS TO OUR CITY, AND I WANT TO REASSURE YOU THAT I WILL DO EVERYTHING IN MY POWER TO HELP PRESERVE A STRONG GENERAL MOTORS PRESENCE IN LANSING.

#### A MODEST TAX CUT BASED ON SOUND PERFORMANCE

OUR PERFORMANCE IN BALANCING THE BUDGET AND OUR SOUND MANAGEMENT PRACTICES HAS LED TO AN IMPROVED CREDIT RATING FOR LANSING. WHEN COUPLED WITH FAVORABLE INTEREST RATES, THIS HAS ALLOWED US TO REDUCE DEBT SERVICE COSTS THROUGH THE REFINANCING OF OUR 1988 AND 1990 ENVIRONMENTAL BONDS.

I AM PLEASED TO RECOMMEND THAT THIS SAVINGS BE RETURNED TO LANSING CITIZENS THROUGH A REDUCTION IN OUR DEBT SERVICE MILLAGE. WHILE I RECOGNIZE THAT THIS REDUCTION IS RELATIVELY SMALL, IT IS LANSING'S FIRST TAX CUT IN 16 YEARS AND ESTABLISHES THE PRINCIPLE OF RETURNING TO

CITIZENS MONIES WE ARE ABLE TO SAVE DURING RELATIVELY GOOD TIMES. PAST ADMINISTRATIONS HAVE SIMPLY CONVERTED REDUCED DEBT SERVICE MILLS TO OPERATING MILLS, EFFECTIVELY HIDING AN INCREASE IN TAXES FOR OPERATING PURPOSES. I BOTH URGE AND EXPECT THE COUNCIL TO PASS MY RECOMMENDED TAX CUT.

#### LONG-TERM FINANCIAL SECURITY AND INFRASTRUCTURE DEVELOPMENT

THE FUTURE OF OUR CITY IS HEAVILY DEPENDENT BOTH ON THE JUDICIOUS MANAGEMENT AND WISE INVESTMENT OF OUR CITY'S RESOURCES. THAT IS WHY I HAVE PLACED PARTICULAR EMPHASIS BOTH ON DEVELOPING A HEALTHY BUDGET STABILIZATION FUND AND IN INCREASING FUNDING FOR INFRASTRUCTURE PROJECTS.

BUDGET STABILIZATION FUND. WE HAVE BEEN FORTUNATE TO HAVE ENJOYED A LONG PERIOD OF STEADY ECONOMIC GROWTH WITHOUT A MAJOR RECESSION. HOWEVER, WE MUST SET ASIDE SUFFICIENT RESOURCES TO GUARD AGAINST ANY POSSIBLE DOWNTURN IN THE FUTURE. WE WERE PRUDENT AND CONSERVATIVE MANAGERS WHEN WE ESTABLISHED A BUDGET STABILIZATION FUND MY FIRST YEAR IN OFFICE, AND WE HAVE ADDED TO THAT FUND EACH YEAR. I AM AGAIN RECOMMENDING THAT WE PLACE 25% OF ANY SURPLUS IN FY 1996-97 INTO THE BUDGET STABILIZATION FUND. THIS WILL ENABLE US TO DEPOSIT AN ADDITIONAL \$600,000 OR MORE INTO THIS RAINY DAY FUND, BRINGING THE TOTAL TO OVER \$8.2 MILLION OR 8.7% OF THE PROPOSED FY 1997-98 GENERAL FUND BUDGET.

INFRASTRUCTURE DEVELOPMENT. MY ADMINISTRATION ALSO HAS PLACED A PRIORITY ON INCREASING FUNDING FOR OUR INFRASTRUCTURE -- THE ROADS, BUILDINGS, SEWERS, AND EQUIPMENT THAT FORM THE STRUCTURAL FOUNDATION OF A COMMUNITY. IN THE FY 1994-95 BUDGET, WE ESTABLISHED A POLICY OF DEDICATING AT LEAST 4% OF OUR GENERAL FUND BUDGET TO LONG NEGLECTED INFRASTRUCTURE NEEDS. AGAIN THIS YEAR I AM RECOMMENDING INCREASING INFRASTRUCTURE FUNDING, BY TRANSFERRING OVER \$5.8 MILLION OF OUR GENERAL FUND BUDGET TO THE CAPITAL PROJECTS FUND. THIS MEANS THAT IN FY 1997-98 WE WILL DEDICATE OVER 6% OF OUR GENERAL FUND BUDGET TO INFRASTRUCTURE NEEDS. ASSUMING FULL IMPLEMENTATION OF MY FY 1997-98 INFRASTRUCTURE RECOMMENDATIONS, WE WILL HAVE SPENT OVER \$25 MILLION GENERAL FUND ON CAPITAL PROJECTS BETWEEN FY 1994-95 AND FY 1997-98 -- MORE THAN WAS SPENT IN THE PRIOR 13 YEARS COMBINED.

ALTHOUGH WE CONTINUE TO EXPAND OUR INFRASTRUCTURE FUND EACH YEAR, WE STILL ARE FACED WITH NEEDS WHICH OUT PACE OUR RESOURCES. OUR BIGGEST CHALLENGE THIS YEAR WILL BE TO MEET OUR \$7 MILLION ROAD REPAIR COMMITMENT. MY RECOMMENDATION FOR FY 1997-98 INCLUDES \$6.2 MILLION FOR ROADS, INCLUDING \$3.5 MILLION IN GENERAL FUND AND CURRENT YEAR RESIDUALS. WE ARE ACTIVELY WORKING TO INCREASE FEDERAL AND

STATE ROAD FUNDING SO THAT WE CAN MEET AND EXCEED OUR \$7 MILLION TARGET.

WE HAVE HAD TO MAKE SOME DIFFICULT DECISIONS IN SETTING PRIORITIES WITHIN OUR CAPITAL IMPROVEMENT PROJECT BUDGET. OUR RECOMMENDATIONS ARE BASED UPON MAINTENANCE THAT MEETS HEALTH, SAFETY, AND LEGAL CRITERIA. THE RECOMMENDED CAPITAL PROJECTS INCLUDE THE ORDERING OF TWO NEW FIRE PUMPERS; \$500,000 FOR MODERNIZING AND REPLACING TRAFFIC SIGNALS; AND \$800,000 FOR MAINTENANCE AND REPAIRS OF CITY BUILDINGS. I AM ASKING FOR AUTHORIZATION TO BORROW THE FUNDS NECESSARY TO IMPLEMENT AN 800 MEGAHERTZ RADIO SYSTEM IN THE FIRE DEPARTMENT AND TO UNDERTAKE FIRE STATION RENOVATIONS. WE ARE ALSO RECOMMENDING A BUILDING MAINTENANCE RESERVE FOR THE LANSING CENTER, SO IT WILL NOT DETERIORATE AS THE CIVIC CENTER DID.

PREFUNDING OF EMPLOYEE AND RETIREE HEALTH SYSTEMS. TO ASSURE THAT ADEQUATE FUNDING WILL BE AVAILABLE TO MEET THE CITY'S OBLIGATIONS TO ITS EMPLOYEES IN THE FUTURE, I HAVE INCLUDED IN MY BUDGET ADDITIONAL RESOURCES FOR THE PREFUNDING OF EMPLOYEE HEALTH CARE. I ALSO SUPPORT PROPOSALS CURRENTLY UNDER CONSIDERATION BY THE BOARD OF TRUSTEES OF THE EMPLOYEES RETIREMENT SYSTEM TO PREFUND HEALTH CARE BENEFITS FOR FUTURE RETIREES. THIS PRUDENT MANAGEMENT STRATEGY WILL MAKE US ONE OF ONLY 10 MICHIGAN CITIES THAT ARE PREFUNDING HEALTH CARE FOR RETIREES.

#### SCHOOLS AND YOUTH

AS YOU KNOW, I MADE THE EDUCATION OF OUR YOUTH MY NUMBER ONE PRIORITY IN MY RECENT STATE OF THE CITY MESSAGE, AND I ESTABLISHED A BLUE RIBBON EDUCATION PANEL TO DEVELOP A PLAN FOR IMPROVING THE QUALITY OF PUBLIC EDUCATION. I HAVE RECEIVED A TREMENDOUS OUTPOURING OF SUPPORT FOR THAT INITIATIVE. WE ALSO HAVE WORKED CLOSELY WITH THE SCHOOL DISTRICT IN THE PAST YEAR IN PROGRAMMING, FUNDING, AND POLICY DEVELOPMENT.

TO CONTINUE THESE NEW TIES WITH THE SCHOOL DISTRICT AND TO SUPPORT COMMUNITY IMPLEMENTATION EFFORTS ASSOCIATED WITH THE RECOMMENDATIONS OF THE BLUE RIBBON EDUCATION PANEL, I AM RECOMMENDING A NEW POLICY THAT WILL MAKE AVAILABLE AN ADDITIONAL PORTION OF THE CABLE TV FRANCHISE FEES TO FUND YOUTH AND SCHOOL PROGRAMS. IN PARTICULAR, AND IN SUPPORT OF COUNCIL'S POLICY FOR INCREASED MIDDLE SCHOOL SPORTS PROGRAM FUNDING, I RECOMMEND THE APPROPRIATION OF \$15,000 FROM CABLE TV FEES TO BRING CITY FUNDING TO \$60,000. IN ADDITION, I RECOMMEND THAT AN ADDITIONAL \$35,000 BE USED TO SUPPORT OTHER SCHOOL RELATED PROGRAMS AND TO PROVIDE MATCHING FUNDS FOR COMMUNITY EFFORTS TO IMPLEMENT RECOMMENDATIONS OF THE BLUE RIBBON EDUCATION PANEL. EVEN WITH THE CHANGE IN THE USE OF FRANCHISE FEES, FUNDING FOR

CHANNEL 28 WILL REMAIN MORE THAN ADEQUATE.

I ALSO URGE THE COUNCIL TO RELEASE THE FUNDING APPROPRIATED THIS YEAR FOR A YOUTH SPECIALIST IN THE DEPARTMENT OF HUMAN RELATIONS AND COMMUNITY SERVICES. THERE IS A COMPELLING NEED FOR A YOUTH SPECIALIST WHO WILL SERVE AS AN ADVOCATE AND OMBUDSMAN FOR OUR YOUTH. WE NEED SOMEONE WHO WILL BRING TOGETHER THE SCHOOLS, BUSINESS, LABOR, NON-PROFIT AGENCIES, RELIGIOUS ORGANIZATIONS, AND NEIGHBORHOODS TO MAXIMIZE OUR RECREATION, EDUCATION, AND EMPLOYMENT PROGRAMS FOR YOUTH. AND WE NEED SOMEONE TO DEVELOP NEW YOUTH VOLUNTEER PROGRAMS AND TO TAKE THE LEAD IN BRINGING YOUTH TOGETHER ON COMMUNITY ADVISORY BOARDS.

#### IMPROVING NEIGHBORHOOD QUALITY OF LIFE

NEIGHBORHOOD SAFETY. SAFE NEIGHBORHOODS ARE THE BASIC PREREQUISITE TO ESTABLISHING THE HIGHEST POSSIBLE QUALITY OF LIFE FOR LANSING RESIDENTS, SO I WILL CONTINUE TO MAKE PUBLIC SAFETY A TOP PRIORITY. IN FACT, IN ADDITION TO INFRASTRUCTURE FUNDING, THE ONLY OTHER AREA OF MAJOR GROWTH IN MY PROPOSED BUDGET IS FOR PUBLIC SAFETY.

I BELIEVE THAT A KEY TO BUILDING STRONG AND SAFE NEIGHBORHOODS IS TO DEVELOP EFFECTIVE WORKING RELATIONSHIPS BETWEEN NEIGHBORHOOD RESIDENTS AND THE POLICE. MY COMMITMENT TO COMMUNITY POLICING FLOWS FROM THIS PHILOSOPHY, AND I RECOGNIZE THAT WE MUST DO ALL THAT WE CAN TO STRENGTHEN POLICE-COMMUNITY RELATIONS. WITH THIS IN MIND, I AM RECOMMENDING SEVERAL NEW POLICE-COMMUNITY RELATIONS INITIATIVES: (1) A NEW DEPUTY POLICE CHIEF FOR POLICE-COMMUNITY RELATIONS; (2) A CITIZEN COMPLAINT COORDINATOR AND INVESTIGATOR IN THE DEPARTMENT OF HUMAN RELATIONS AND COMMUNITY SERVICES; (3) FUNDING TO RESTRUCTURE THE HIRING OF POLICE OFFICERS SO THAT TRAINED NEW OFFICERS ARE READY TO IMMEDIATELY REPLACE RETIRING OFFICERS; AND (4) FUNDING FOR AN ANNUAL POLICE-COMMUNITY RELATIONS SUMMIT.

I AM ALSO CONTINUING MY COMMITMENT TO A POLICE PRECINCT ON THE NORTH SIDE OF LANSING. BASED UPON OUR POSITIVE EXPERIENCE WITH THE SOUTH PRECINCT AND COMMUNITY CENTER, A NORTH PRECINCT WILL SUPPORT NEIGHBORHOOD ORGANIZATIONS, STIMULATE NEW SERVICES, BE AN ACTIVITY CENTER FOR YOUTH, AND PROVIDE BETTER CUSTOMER SERVICE TO OUR CITIZENS.

A NORTH PRECINCT WILL ALSO HELP US RESOLVE OUR OVERCROWDING PROBLEM IN CITY HALL, PARTICULARLY AS WE MOVE STAFF FROM THE WASHINGTON SQUARE ANNEX. IT MAY ALSO OFFER OPPORTUNITIES TO CONSOLIDATE SOME OF OUR OTHER OPERATIONS, SUCH AS FIRE ADMINISTRATION AND TRAINING. WHILE WE HAVE DISAGREED IN THE PAST OVER THE LOCATION OF A NORTH PRECINCT, I AM ENCOURAGED BY THE



RECENT WILLINGNESS TO JOINTLY EXPLORE POTENTIAL SITES. I AM CONFIDENT WE CAN AGREE ON A LOCATION IN THE NEAR FUTURE.

PARKS AND NEIGHBORHOOD PROGRAMMING. O U R PARKS AND COMMUNITY SERVICES FOR OUR RESIDENTS ARE CRITICAL TO THE QUALITY OF LIFE IN OUR NEIGHBORHOODS. CONSEQUENTLY, I AM RECOMMENDING THAT WE CONTINUE ALL OF THE PARKS PROGRAMS CURRENTLY IN OPERATION, INCLUDING THE NEW LIFE-LONG LEARNING AND RECREATION PROGRAMS PREVIOUSLY OPERATED BY THE SCHOOL DISTRICT. THESE SUBSTANTIAL PROGRAMS WILL BE OVERSEEN BY THE COMMUNITY SCHOOL COORDINATOR POSITION THAT COUNCIL AUTHORIZED DURING THE CURRENT YEAR. I ALSO AM RECOMMENDING THAT WE ESTABLISH A NEW CONTRACT TO INSPECT OUR PLAYGROUND EQUIPMENT AND ASSURE THAT IT MEETS THE MOST STRINGENT SAFETY STANDARDS.

WE WILL OFFER A COMPREHENSIVE AND VARIED SUMMER PROGRAMMING SCHEDULE, WHICH WILL CONFORM TO NORMAL WORKING HOURS. A GIRLS YOUTH BASKETBALL LEAGUE IS BEING PLANNED IN COOPERATION WITH THE YWCA. AND WE WILL BREAK GROUND ON THE NEW SOUTH WASHINGTON COMMUNITY CENTER, AS SOON AS THE REMAINING FUNDING ISSUES ARE RESOLVED.

OUR WINTER RECREATIONAL ACTIVITIES ALSO WILL CONTINUE TO IMPROVE. WITH THE NEW OLDSMOBILE PARK SKATING RINK, TWO SKATING SURFACES AT WASHINGTON PARK, AND SURFACES IN TWO NEIGHBORHOOD PARKS, LANSING RESIDENTS WILL HAVE EXPANDED OPPORTUNITIES TO ENJOY ICE SKATING THROUGHOUT THE WINTER.

IN RESPONSE TO COUNCIL'S POLICY OF EXPANDING CHILD CARE SERVICES TO LOW INCOME FAMILIES, WE PROPOSE TO INCREASE OUR CONTRIBUTION TO THE CHILD CARE SCHOLARSHIP PROGRAM OF THE INGHAM COUNTY DEPARTMENT OF PUBLIC HEALTH OFFICE OF YOUNG CHILDREN BY \$20,000. THIS WILL BRING THE CITY'S SUPPORT OF CHILD CARE FOR LOW INCOME FAMILIES TO \$90,000.

NEIGHBORHOOD CLEAN-UPS AND TRAFFIC CONTROL. IT IS DIFFICULT TO FULLY ENJOY OUR NEIGHBORHOODS IF THEY ARE NOT CLEAN AND FREE FROM TOO MUCH TRAFFIC AND ASSOCIATED NOISE. AS A RESULT, WE WILL CONTINUE TO BE SENSITIVE TO AESTHETIC NEEDS WHEN WE HAVE TO BOARD UP HOMES AND WILL UTILIZE THE NEIGHBORHOOD ENTERPRISE ZONE PROGRAM TO IMPROVE THE APPEARANCE OF MAJOR THROUGH STREETS. I AM RECOMMENDING FUNDING FOR ALLEY CLEAN-UPS TO MAKE ALLEYS BOTH CLEANER AND SAFER, AS WELL AS THE USE OF ADDITIONAL SEASONAL EMPLOYEES IN THE FORESTRY DIVISION FOR NEIGHBORHOOD CLEAN-UP AND BEAUTIFICATION EFFORTS.

WE ALSO WILL CONTINUE OUR RECYCLING PROGRAM, WHICH HELPS KEEP OUR NEIGHBORHOODS CLEAN WHILE PRESERVING PRECIOUS NATURAL RESOURCES. I AM PLEASED TO RECOMMEND THAT THE SOUND

FINANCIAL CONDITION OF THE RECYCLING FUND ALLOWS ME TO RECOMMEND A 10% REBATE ON THE RECYCLING FEE PAID BY HOMEOWNERS.

WE PLAN TO IMPLEMENT FIVE TRAFFIC CALMING PROGRAMS, INCLUDING THREE ON THE EAST SIDE, BASED UPON STUDIES WE HAVE DONE IN THE LAST YEAR. THESE PROGRAMS WILL BE PILOTS THAT WILL GUIDE FUTURE TRAFFIC CALMING PROGRAMS ELSEWHERE IN THE CITY.

#### ECONOMIC DEVELOPMENT AND PLANNING

OUR AGGRESSIVE ECONOMIC DEVELOPMENT ACTIVITIES HAVE HELPED TO FOSTER A NEW ECONOMIC VIBRANCY IN LANSING. TO KEEP OUR ECONOMIC DEVELOPMENT EFFORTS MOVING FORWARD WITHOUT AT THE SAME TIME ADDING NEW FUNDING, WE ARE COMMITTING FUNDS FROM WITHIN THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT TO CONTINUE OUR ECONOMIC DEVELOPMENT MASTER PLANNING IN PARTNERSHIP WITH THE PRIVATE SECTOR.

THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT AND THE ECONOMIC DEVELOPMENT CORPORATION WILL CONTINUE THEIR DUAL EMPHASIS ON ENCOURAGING BOTH RESIDENTIAL AND COMMERCIAL DEVELOPMENT, BOTH THROUGH OUR RENAISSANCE ZONE, NEIGHBORHOOD ENTERPRISE ZONES, AND OTHER IMPORTANT INITIATIVES.

I AM PARTICULARLY ENCOURAGED BY THE NEW HOUSING DEVELOPMENTS BEING INITIATED IN LANSING. THREE NEW RESIDENTIAL DEVELOPMENTS WILL BRING 200-250 NEW HOMES TO OUR CITY. I ALSO HAVE RECOMMENDED A TRANSFER IN THE CURRENT YEAR FOR A NEW HOME OWNERSHIP PROGRAM, WHICH WILL FEATURE COLLABORATION BETWEEN LOCAL BANKS AND THE HOUSING RESOURCE CENTER. THIS WILL BRING 30 NEW HOME OWNERS INTO THE NEIGHBORHOODS OF NORTHTOWN AND NEIGHBORS UNITED IN ACTION. WHEN COUPLED WITH SMALL BUSINESS DEVELOPMENT, WHICH WE ARE ENCOURAGING WITH FUNDING FOR EFFORTS SUCH AS THE MAIN STREET PROJECT IN OLDTOWN, THE POTENTIAL FOR INTEGRATING HOUSING AND BUSINESS DEVELOPMENT IS GREAT.

I ALSO AM RECOMMENDING FUNDING FOR DIGITIZING THE ASSESSOR'S BASE MAPS AS PART OF THE GEOGRAPHIC INFORMATION SYSTEM PROJECT. WE WILL PARTNER WITH THE BOARD OF WATER AND LIGHT, WHICH WILL PRODUCE AERIAL MAPS. THIS PROJECT WILL EVENTUALLY SAVE HOURS OF STAFF TIME IN PROVIDING MAPS TO THE PUBLIC, AND WILL PROVIDE QUICK, ACCURATE, UP-TO-DATE, AND MORE COMPREHENSIVE INFORMATION TO ALL DEPARTMENTS, BOARDS, AND COUNCIL COMMITTEES.

#### AUTOMATION, STAFF TRAINING, AND QUALITY IMPROVEMENT

WE ARE VERY FORTUNATE TO HAVE A DEDICATED AND HARD-WORKING CITY WORK FORCE. TO ALLOW THESE STAFF PERSONS TO ACHIEVE AS MUCH AS POSSIBLE WITH THEIR EXPERTISE AND TALENTS, WE MUST PROVIDE

THEM WITH THE BEST TOOLS AND TRAINING POSSIBLE. AND WE MUST CONTINUALLY LEARN FROM THEM ABOUT HOW CITY RESPONSIBILITIES CAN BEST BE ACCOMPLISHED.

WE HAVE MADE GREAT STRIDES IN THE PAST TWO YEARS IN BRINGING AUTOMATION INTO CITY OPERATIONS, WITH OVER 300 PERSONAL COMPUTERS EITHER REPLACED OR BROUGHT ON LINE. FUNDING IS INCLUDED IN THIS BUDGET TO UPGRADE AN ADDITIONAL 40 COMPUTERS IN FY 1997-98. WE ALSO HAVE ESTABLISHED NETWORK SYSTEMS LINKING COMPUTERS BOTH WITHIN AND BETWEEN DEPARTMENTS. THESE IMPROVEMENTS ARE SUBSTANTIALLY IMPROVING BOTH THE PRODUCTIVITY AND MORALE OF OUR WORKERS, AND WE WILL CONTINUE TO PURSUE FURTHER AUTOMATION THROUGH THE IMPLEMENTATION OF PROJECTS DESCRIBED IN OUR TECHNOLOGY FIVE YEAR PLAN.

WE ALSO HAVE SUBSTANTIALLY INCREASED TRAINING PROGRAMS SO THAT STAFF CAN MAINTAIN PROFICIENCY IN THEIR PROFESSIONS AND PROVIDE THE BEST QUALITY SERVICE TO OUR CITIZENS. WE RECOMMEND CONTINUATION OF THIS TRAINING COMMITMENT IN NEXT YEAR'S BUDGET. QUALITY IMPROVEMENT TRAINING THAT IS TAKING PLACE IN DIFFERENT DEPARTMENTS THROUGHOUT THE CITY ALSO WILL BE CONTINUED.

EVEN BEYOND THEIR CONTRIBUTIONS AT WORK, I BELIEVE THAT OUR CITY EMPLOYEES ARE A VALUABLE RESOURCE TO OUR CITY. THIS BELIEF, AND THE SUPPORT OF COUNCIL, LED US TO ESTABLISH THE L-HOPE PROGRAM THIS YEAR, WHICH PROVIDES A FINANCIAL INCENTIVE FOR CITY EMPLOYEES TO BUY HOMES IN LANSING. WE HAVE RECEIVED A VERY POSITIVE RESPONSE TO THIS PROGRAM, WITH THE EXPECTATION THAT 25 EMPLOYEES WILL PURCHASE LANSING HOMES BY THE END OF THIS FISCAL YEAR. I AM RECOMMENDING THAT \$125,000 BE INCLUDED IN THE BUDGET FOR THIS PROGRAM NEXT YEAR.

#### CONCLUSION

IN CONCLUSION, I PRESENT TO YOU, MADAM PRESIDENT, CITY COUNCIL MEMBERS, AND CITIZENS, A MODEST BUT FISCALLY RESPONSIBLE BUDGET RECOMMENDATION. IT SUSTAINS THE FINANCIAL INTEGRITY OF THE CITY AND MAINTAINS OUR COMMITMENT TO OUR CITIZENS FOR AN IMPROVED INFRASTRUCTURE, STRONG AND SAFE NEIGHBORHOODS, AND HIGH QUALITY PARKS AND RECREATIONAL PROGRAMMING. IT REAFFIRMS MY COMMITMENT TO WORK CLOSELY WITH GENERAL MOTORS AND OUR OTHER KEY BUSINESS AND LABOR PARTNERS TO ASSURE OUR LONG-TERM ECONOMIC SECURITY. AND IT PLACES AN EMPHASIS ON OUR FAMILIES AND YOUTH, WHO HOLD THE KEY TO OUR CITY'S FUTURE. I LOOK FORWARD TO WORKING TOGETHER WITH YOU IN THE COMING WEEKS TO DEVELOP A BUDGET THAT WILL BEST MEET THE NEEDS OF OUR CITIZENS.

DAVID C. HOLLISTER, MAYOR  
MARCH 24, 1997

PRESIDENT BEAL RECESSED THIS MEETING OF THE LANSING CITY COUNCIL FOR TWO MINUTES AT 7:37 P.M. AND RECONVENED THE MEETING AT 7:39 P.M.

C. COUNCILMEMBER LEEMAN, ALONG WITH MAYOR HOLLISTER PRESENTED A PROCLAMATION DECLARING THE WEEK OF MARCH 24-30, 1997 AS COMMUNITY DEVELOPMENT WEEK TO EMIL WHINNICKER OF THE DEVELOPMENT DIVISION OF THE PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT. MR. WHINNECKER ENCOURAGED ALL CITIZENS TO PARTICIPATE IN COMMUNITY DEVELOPMENT ACTIVITIES AND TO EXPRESS THEIR SUPPORT FOR COMMUNITY DEVELOPMENT PROGRAMS TO THEIR REPRESENTATIVES AND CONGRESSMEN, LEST WE SEE REDUCTIONS IN COMMUNITY DEVELOPMENT FUNDS AND PROGRAMS.

#### ► ANNOUNCEMENT OF CITY EVENTS

COUNCILMEMBER JONES ANNOUNCED THAT COMPLETE COPIES OF THE LANSING SCHOOL BOARD AD HOC COMMITTEE ON STUDENT ACHIEVEMENT REPORT ARE AVAILABLE ON THE TABLE IN THE BACK OF CHAMBERS. THIS REPORT WILL BE PRESENTED TO THE SCHOOL BOARD AT THEIR APRIL 17, 1997 MEETING AT THE SCHOOL DISTRICT HEADQUARTERS. HE REPORTED THAT 110 CITY EMPLOYEES ARE CURRENTLY USING CELLPHONES AT A COST OF \$70,000 PER YEAR TO THE CITY. CITIZENS INTERESTED IN VOLUNTEERING TO WORK ON THE DISTRICT LIBRARY PROJECT MAY CALL 325-6418.

COUNCILMEMBER BAUER ANNOUNCED THAT THE STATE OF MICHIGAN LIBRARY SIGNED THE CAPITAL AREA DISTRICT LIBRARY AGREEMENT LAST WEDNESDAY. THE NEXT STEP IS TO MAKE APPOINTMENTS TO THE DISTRICT LIBRARY BOARD. PEOPLE INTERESTED IN SERVING AS THE CITY OF LANSING REPRESENTATIVE ON THE DISTRICT LIBRARY BOARD MAY CONTACT MAYOR HOLLISTER'S OFFICE AT 483-4141. THERE WILL BE AT LEAST ONE (1), AND POSSIBLE TWO (2) LANSING REPRESENTATIVES ON THIS BOARD.

COUNCILMEMBER LEEMAN REVIEWED INFORMATION ABOUT THE NEIGHBORHOOD APPRECIATION RECEPTION FOR CODE COMPLIANCE OFFICERS, POLICEMEN AND EXPLORERS OF POST 911 WHICH WILL BE HELD TOMORROW, MARCH 25, 1997 FROM 4:00 P.M. TO 7:00 P.M. AT THE CHRIST LUTHERAN CHURCH AT 122 S. PENNSYLVANIA.

#### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

##### ► PUBLIC HEARINGS

I. IN THE CONSIDERATION OF THE ISSUANCE OF MAKE-SAFE OR DEMOLISH ORDERS TO OWNERS OF PROPERTY LOCATED:

- 230 S. HOSMER
- 615 MANCHESTER

- 1100 BEMENT
- 131 E. HOWE

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. IN CONSIDERATION OF THE SALE OF PROPERTY LOCATED AT 119 N. WASHINGTON SQUARE (CITY HALL ANNEX) TO THE SPIRIT OF DOWNTOWN LANSING, L.L.C. FOR THE SUM OF \$950,000

KEN STOCKWELL OF 443 SATINWOOD IN OKEMOS, PRESIDENT OF THE STOCKWELL REAL ESTATE GROUP AND OF THE SPIRIT OF DOWNTOWN LANSING, SPOKE IN SUPPORT OF THIS SALE. HE INDICATED THAT HE HAS PURCHASED AND DEVELOPED SEVERAL OTHER SITES IN THE DOWNTOWN LANSING AREA, AND IS LOOKING FORWARD TO THE EXCITING POSSIBILITIES OF THIS PROJECT.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

► PUBLIC COMMENT ON LEGISLATIVE MATTERS

PETER BUNTON OF 3311 BRISBANE STATED HIS STRONG OPPOSITION TO THE DATE SCHEDULED FOR THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE. THE MARCH FOR JUSTICE WANTS A NEW DATE SELECTED, AND IT MUST BE ONE THAT IS NOT IN CONFLICT WITH ANY OTHER EVENT.

RITA BUNTON OF 3311 BRISBANE ACCUSED MAYOR HOLLISTER AND ART WALKER, DIRECTOR OF THE HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT OF TRYING TO "PUT ONE OVER ON THE CITY OF LANSING", BECAUSE OF THE SCHEDULING OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE. SHE STATED THAT THE MARCH FOR JUSTICE DID NOT HAVE ANY IDEA OF THE MAGNITUDE OF THE MICHIGAN PARADES INTO THE TWENTY-FIRST CENTURY EVENT AT THE TIME THAT THE CONFERENCE WAS SCHEDULED, NOR DID THEY REALIZE THE SIGNIFICANCE OF HAVING THESE TWO EVENTS SCHEDULED FOR THE SAME DAY. OBVIOUSLY THERE WILL NOT BE VERY MANY POLICE OFFICERS AVAILABLE TO ATTEND THE CONFERENCE, IF THEY HAVE TO BE ON DUTY WORKING THE PARADE, WHICH IS EXPECTED TO DRAW UPWARDS OF 50,000 SPECTATORS. THE MAYOR, HOWEVER, WAS FULLY AWARE OF THE IMPACT THAT THESE TWO EVENTS WOULD HAVE ON EACH OTHER.

REVEREND LESTER STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH, DEFINED THE PURPOSE OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE, AS HE PERCEIVES IT. THE MARCH FOR JUSTICE MADE THIS RECOMMENDATION TO MAYOR HOLLISTER ON JANUARY 19, 1997. HE PROTESTED THE DATE THE CONFERENCE IS SCHEDULED FOR. THEY WANT THIS EVEN RESCHEDULED, PERHAPS TO A TIME LATER IN THE YEAR, LIKE OCTOBER.

DARNELL OLDHAM, SR. OF 3815 BERWICH DR.

THANKED MAYOR HOLLISTER FOR STAYING THROUGH THIS PORTION OF THE MEETING. HE STATED THAT THE SCHEDULED DATE OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE IS UNACCEPTABLE. HE URGED MAYOR HOLLISTER TO COME TO TERMS WITH THE SERIOUSNESS OF THE ISSUES BROUGHT FORTH BY THE MARCH FOR JUSTICE.

TERRY JONES OF 1610 W. ST. JOSEPH SPOKE ON BEHALF OF THE HEALTH AND RESOURCES CENTER, AND IN SUPPORT OF L-HOPE A COMMUNITY HOUSING PROGRAM. THEY HAVE BUILT A POOL OF \$1,890,000 CONTRIBUTED BY LOCAL CONTINGENCIES OF FINANCIAL INSTITUTIONS TO ENCOURAGE AND PROMOTE RESIDENTIAL HOUSING STOCK IN THE LANSING AREA. SHE URGED COUNCIL'S SUPPORT OF THIS PROGRAM AND OF THE TRANSFER OF FUNDS ON TONIGHT'S AGENDA.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. OFFERED AN APOLOGY FOR HIS LACK OF UNDERSTANDING ON THE MATTER OF WHICH COUNCILMEMBERS VOTED FOR THE STORMWATER ENTERPRISE FUND ORDINANCE, AND WHICH ONES DID NOT. HE CRITICIZED THE LANSING POLICE DEPARTMENT BECAUSE THEY DO NOT HAVE ANY OFFICERS RANKED HIGHER THAN SERGEANT, AND NOT VERY MANY WHO ARE RANKED AS SERGEANTS.

ALBERTA JORDAN, NO ADDRESS GIVEN, WELCOMED MAYOR HOLLISTER TO THE MEETING. SHE STATED HER OBJECTION TO THE SCHEDULED DATE OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE.

## LEGISLATIVE MATTERS RESOLUTIONS

### RESOLUTION #122

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL HAS PREVIOUSLY APPROVED THE TENTATIVE BOUNDARIES FOR EIGHT NEIGHBORHOODS ON FEBRUARY 24, 1997, TO BE DESIGNATED AS NEIGHBORHOOD ENTERPRISE ZONES AS AUTHORIZED UNDER PUBLIC ACT 147 OF 1992; AND

WHEREAS, PRIOR TO ACTING ON THIS REQUEST, IT IS NECESSARY TO HOLD A PUBLIC HEARING ON THE PROPOSED ESTABLISHMENT OF NEIGHBORHOOD ENTERPRISE ZONES;

NOW, THEREFORE, BE IT RESOLVED THAT AS REQUIRED BY P.A. 147, THE CITY CLERK IS REQUESTED TO PROVIDE NOTICE TO THE CITY ASSESSOR AND EACH TAXING UNIT WITHIN THE PROPOSED ZONES, AND THAT A PUBLIC HEARING WILL BE HELD BEFORE THE CITY COUNCIL NOT LATER THAN 45 DAYS AFTER SAID NOTICE IS SENT, AND BY WAY OF THIS RESOLUTION, THE CITY COUNCIL SETS SUCH PUBLIC HEARING TO BE HELD IN THE CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL,

LANSING, MICHIGAN, ON MONDAY, THE 21ST DAY OF APRIL, 1997 AT 7:00 P.M. AND THAT NOTICE OF SUCH HEARING BE PUBLISHED IN A PUBLICATION OF GENERAL CIRCULATION OF SAID CITY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #123**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM MS. TSVETA LAMBO, THE COORDINATOR OF THE MARSHALL PARK NEIGHBORHOOD WATCH, TO PROHIBIT PARKING ON ONE SIDE OF MAHLON STREET BETWEEN SAGINAW STREET AND OAKLAND AVENUE. MS. LAMBO FORWARDED THIS REQUEST BECAUSE THEY WERE CONCERNED ABOUT OVER THE ABILITY OF EMERGENCY VEHICLES TO MANEUVER DOWN MAHLON STREET WHEN TWO VEHICLES ARE PARKED ACROSS FROM EACH OTHER;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, PURSUANT TO SECTION 2.53(2) OF THE LANSING CODE OF ORDINANCES THE TRANSPORTATION ENGINEER ON JULY 15, 1996, ENACTED A TEMPORARY TRAFFIC CONTROL ORDER TO PROHIBIT PARKING ON THE EAST SIDE OF MAHLON STREET FROM SAGINAW STREET AND OAKLAND AVENUE;

WHEREAS, SITE VISITS TO THE AREA AND DISCUSSIONS WITH MS. LAMBO, HAVE CONFIRMED THAT THE TEMPORARY PARKING REGULATIONS ARE EFFECTIVE IN PROVIDING TWO TRAVERSABLE LANES ON MAHLON STREET BETWEEN SAGINAW STREET AND OAKLAND AVENUE;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO MAKE PERMANENT THE TEMPORARY PARKING REGULATIONS;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE

LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER No. 97-001, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO PROHIBIT PARKING ON THE EAST SIDE OF MAHLON STREET FROM SAGINAW STREET TO OAKLAND AVENUE;

BE IT FURTHER RESOLVED, THAT THE EXISTING PARKING REGULATIONS ARE DOCUMENTED ON TRAFFIC CONTROL ORDER NUMBER 97-001 SUPPORTING THE HISTORICAL PARKING REGULATIONS, PROHIBITING PARKING ON THE WEST SIDE OF MAHLON STREET FROM OAKLAND AVENUE TO 90 FEET SOUTH OF OAKLAND AVENUE, AND PROHIBITING PARKING ON THE WEST SIDE OF MAHLON STREET FROM 105 FEET NORTH OF SAGINAW STREET TO SAGINAW STREET;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER No. 97-001 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, AND FILED WITH THE CITY CLERK.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #124**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM ROGER PARKER, A MEMBER OF THE NORTHSIDE NEIGHBORHOOD ORGANIZATION, TO INVESTIGATE THE PARKING ACTIVITIES ON EAST PARK TERRACE BETWEEN MAY STREET AND OLD SAGINAW STREET. MR. PARKER IS CONCERNED ABOUT THE ABILITY OF SCHOOL BUSES AND GARBAGE TRUCKS TO NEGOTIATE THE INTERSECTIONS OF EAST PARK TERRACE & OLD SAGINAW STREET, AND EAST PARK TERRACE & MAY STREET, WHEN VEHICLES PARK ON EAST PARK TERRACE CLOSE TO THESE INTERSECTIONS;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, PURSUANT TO SECTION 2.53(2) OF THE LANSING CODE OF ORDINANCES THE TRANSPORTATION ENGINEER ON OCTOBER 28, 1996, ENACTED A TEMPORARY TRAFFIC CONTROL ORDER TO PROHIBIT PARKING ON BOTH SIDES OF EAST PARK TERRACE FROM MAY STREET TO 75 FEET SOUTH OF MAY STREET, AND TO PROHIBIT PARKING ON BOTH SIDES OF EAST PARK TERRACE FROM OLD SAGINAW STREET TO 75 FEET NORTH OF OLD SAGINAW STREET;

WHEREAS, SITE VISITS TO THE AREA AND DISCUSSIONS WITH MR. PARKER, HAVE CONFIRMED THAT THE TEMPORARY PARKING REGULATIONS HAVE BEEN EFFECTIVE IN PROVIDING ADEQUATE CORNER CLEARANCE FOR LARGER VEHICLES USING EAST PARK TERRACE;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO MAKE PERMANENT THE TEMPORARY PARKING REGULATIONS;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NO. 97-004, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO PROHIBIT PARKING ON BOTH SIDES OF EAST PARK TERRACE FROM MAY STREET TO 75 FEET SOUTH OF EAST PARK TERRACE, AND TO PROHIBIT PARKING ON BOTH SIDES OF EAST PARK TERRACE FROM OLD SAGINAW STREET TO 75 FEET NORTH OF OLD SAGINAW STREET;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NO. 97-004 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, AND FILED WITH THE CITY CLERK.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### **RESOLUTION #125**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM THE NORTHSIDE NEIGHBORHOOD ASSOCIATION TO INSTALL TRAFFIC CONTROL AT THE INTERSECTION OF JOHNSON AVENUE AND PORTER STREET. THE NORTHSIDE NEIGHBORHOOD ASSOCIATION FORWARDED THIS REQUEST BECAUSE THEY FELT ASSIGNMENT OF RIGHT-OF-WAY WAS NEEDED AT THIS INTERSECTION BECAUSE OF THE LIMITED SIGHT LINE;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, PURSUANT TO SECTION 2.53(2) OF THE LANSING CODE OF ORDINANCES THE TRANSPORTATION ENGINEER ON OCTOBER 7, 1996, ENACTED A TEMPORARY TRAFFIC CONTROL ORDER TO REQUIRE NORTHBOUND TRAFFIC ON JOHNSON AVENUE TO STOP PRIOR TO ENTERING THE INTERSECTION AT PORTER STREET;

WHEREAS, SITE VISITS TO THE AREA HAVE CONFIRMED THAT THE TEMPORARY STOP SIGN HAS BEEN EFFECTIVE IN ASSIGNING RIGHT-OF-WAY AT THIS INTERSECTION;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO MAKE PERMANENT THE TEMPORARY TRAFFIC CONTROL ORDER 96-049T, REQUIRING NORTHBOUND VEHICLES ON JOHNSON AVENUE TO STOP PRIOR TO ENTERING THE INTERSECTION AT PORTER STREET-;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NO. 97-005, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO REQUIRE NORTHBOUND VEHICLES ON JOHNSON AVENUE TO STOP PRIOR TO ENTERING THE INTERSECTION AT PORTER STREET :

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NO. 97-005 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, AND FILED WITH THE CITY CLERK.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### **RESOLUTION #126**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT I

WHEREAS, THE PUBLIC SERVICES COMMITTEE HAS ESTABLISHED THE NEED FOR CONSTRUCTION OF CURB AND GUTTER AND THE NECESSARY STORM SEWER FACILITIES FOR MT. HOPE AVENUE FROM AURELIUS ROAD TO THE EAST CITY LIMITS; AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT THIS PROPOSED PUBLIC IMPROVEMENT WILL BENEFIT ESPECIALLY PROPERTIES IN THE VICINITY OF THE WORK TO BE DONE AND THAT A BENEFIT DISTRICT PURSUANT TO CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES SHOULD BE ESTABLISHED TO BE SPECIALLY ASSESSED FOR THE PUBLIC IMPROVEMENT;

WHEREAS, THE PUBLIC SERVICE COMMITTEE CONSIDERED A POLICY CHANGE TO THE ASSESSABLE SHARE OF THE PROJECT FROM THE STORM WATER FUND; AND

WHEREAS, THE PUBLIC SERVICE COMMITTEE REFERRED THE PROPOSED POLICY CHANGE TO THE COMMITTEE ON WAYS AND MEANS FOR THEIR REVIEW, AND AFTER REVIEWING THE INFORMATION PROVIDED BY THE PUBLIC SERVICE DEPARTMENT THE COMMITTEE ON WAYS AND MEANS WILL, AT A LATER DATE, MAKE A RECOMMENDATION AS TO HOW THE FUNDING IS TO BE SET UP;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY DETERMINES IT TO BE OF A PUBLIC NECESSITY TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS: CURB AND GUTTER AND THE NECESSARY STORM SEWER FACILITIES IN MT. HOPE AVENUE FROM AURELIUS ROAD TO THE EAST CITY LIMITS.

BE IT FURTHER RESOLVED THAT THE DEPARTMENT OF PUBLIC SERVICE IS HEREBY AUTHORIZED TO PREPARE NECESSARY PLANS AND SPECIFICATIONS FOR THESE IMPROVEMENTS, AND TO DETERMINE THE COST OF SAID PROJECT IN SUFFICIENT DETAIL TO ESTABLISH THE SPECIAL ASSESSMENT DISTRICT AND THE APPLICABLE ASSESSMENT TO THE PROPERTIES IN THE DISTRICT, AND TO FURNISH SAID INFORMATION TO THE MAYOR AND CITY COUNCIL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #127**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT I

WHEREAS, THE PUBLIC SERVICE DEPARTMENT HAS ESTABLISHED THE NEED FOR CONSTRUCTION OF CURB AND GUTTER AND THE NECESSARY DRAINAGE FACILITIES FOR SCHAFER ROAD FROM NORTHRUP STREET TO MILLER ROAD ACCORDING TO THE PETITION (PETITION ON FILE AT THE CITY CLERK'S OFFICE) SIGNED BY 52% OF THE BENEFITTED OWNERS AND BY 53% OF THE BENEFITTED FRONTAGE LOTS; AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT THIS PROPOSED PUBLIC IMPROVEMENT WILL BENEFIT ESPECIALLY PROPERTIES IN THE VICINITY OF THE WORK TO BE DONE AND THAT A BENEFIT DISTRICT PURSUANT TO CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES SHOULD BE ESTABLISHED TO BE SPECIALLY ASSESSED FOR THE PUBLIC IMPROVEMENT;

WHEREAS, THE PUBLIC SERVICE COMMITTEE CONSIDERED A POLICY CHANGE TO THE ASSESSABLE SHARE OF THE PROJECT FROM THE STORM WATER FUND; AND

WHEREAS, THE PUBLIC SERVICE COMMITTEE REFERRED THE PROPOSED POLICY CHANGE TO THE COMMITTEE ON WAYS AND MEANS FOR THEIR REVIEW, AND AFTER REVIEWING THE INFORMATION PROVIDED BY THE PUBLIC SERVICE DEPARTMENT THE COMMITTEE ON

WAYS AND MEANS WILL, AT A LATER DATE, MAKE A RECOMMENDATION AS TO HOW THE FUNDING IS TO BE SET UP;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY DETERMINES IT TO BE OF A PUBLIC NECESSITY TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS: CURB AND GUTTER AND THE NECESSARY DRAINAGE FACILITIES IN SCHAFER ROAD FROM NORTHRUP STREET TO MILLER ROAD.

BE IT FURTHER RESOLVED THAT THE DEPARTMENT OF PUBLIC SERVICE IS HEREBY AUTHORIZED TO PREPARE NECESSARY PLANS AND SPECIFICATIONS FOR THESE IMPROVEMENTS, AND TO DETERMINE THE COST OF SAID PROJECT IN SUFFICIENT DETAIL TO ESTABLISH THE SPECIAL ASSESSMENT DISTRICT AND THE APPLICABLE ASSESSMENT TO THE PROPERTIES IN THE DISTRICT, AND TO FURNISH SAID INFORMATION TO THE MAYOR AND CITY COUNCIL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #128**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, PHILIP W. ALDERFER OF 139 SOUTH CLEMENS AVENUE, TO FILL A VACANCY TO THE PARKS BOARD, REPLACING BARRY CROWN;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HIS APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT PHILIP ALDERFER BE APPOINTED TO THE PARKS BOARD FOR TERM TO EXPIRE IN JUNE, 1997.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #129**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON MAY 20, 1996 THE COUNCIL PASSED RESOLUTION #225 APPROPRIATING \$65,100 FOR THE GIER RESTROOM BUILDING AND PLAZA; AND

WHEREAS, THE COUNCIL DESIRES THE CONSTRUCTION OF GIER RESTROOM BUILDING AND PLAZA TO BE ACCOMPLISHED IN A TIMELY MANNER; AND

WHEREAS, BASED UPON CONSTRUCTION COST ESTIMATES, INSUFFICIENT FUNDS CURRENTLY EXIST IN THIS PROJECT ACCOUNT; AND

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL AUTHORIZES PURCHASING TO SOLICIT AND RECEIVE BIDS BEFORE SUFFICIENT FUNDS ARE APPROPRIATED TO CONSTRUCT THE PROJECT; AND

BE IT FURTHER RESOLVED THAT NO CONTRACT WILL BE SIGNED UNTIL SUFFICIENT FUNDS HAVE BEEN APPROPRIATED IN THE FY 98 BUDGET FOR CONSTRUCTION AND PROJECT ADMINISTRATION.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

### RESOLUTION #130

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED,

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$40,000	CITY ATTORNEY- CONTRACTUAL SERVICES 101-172900-743000-0	ATTORNEY-EQUIPMENT 101- 172900-977000-0

(ADDITIONAL FUNDS FOR UPDATING ALL COMPUTER EQUIPMENT AND INSTALLING A LOCAL AREAS NETWORK FOR THE CITY ATTORNEY'S OFFICE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$125,000	GENERAL ADMINISTRATION- FRINGE BENEFITS 101- 173901-715000-0	HOME OWNERSHIP PROGRAM 101-173901- 741831-0

(LOAN LOSS RESERVES FOR HOME OWNERSHIP PROGRAM TO BE USED WHEN BORROWER'S INCOME IS IN EXCESS OF 80% OF THE LANSING MSA MEDIUM INCOME, AND FOR LOAN LOSS RESERVES FOR SECOND MORTGAGES FOR DOWN PAYMENT ASSISTANCE. FUNDING TO BE PLACED IN AN INTEREST BEARING ESCROW ACCOUNT, REQUIRING APPROVAL FOR WITHDRAWAL IN THE EVENT OF A LOSS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$2,900	GENERAL FUND-FUND BALANCE 101-0-390001-0	CITY COUNCIL-CONTROL 101-112101-992200-0
\$2,900	CITY COUNCIL-CONTROL 101-112101-992200-0	WAGES TEMP. HELP 101- 112101-707000-0

(ADDITIONAL FUNDS FOR CO-OP STUDENT THROUGH JUNE 30, 1997.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$50,000	PUBLIC SAFETY DEBT 410- 933690-991101-43829	FIRE STATION ARCHITECTURAL REVIEW 410-933590-743000- 43836

(DEFINITION OF NEEDED MODIFICATIONS TO FIRE STATIONS TO DETERMINE COSTS AND EVALUATE COST EFFECTIVENESS OF RENOVATIONS PRIOR TO BONDING INCLUDED IN THE FY 97 BUDGET.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,000	PARKS & RECREATION LYRF-WAGES TEMP. 101- 783833-707000-90001	LYRF-MISC. & OPER. 101- 783833-741000-90001

TO CONTRACT WITH AN ENTERTAINMENT COMPANY FOR SPRING BREAK ACTIVITIES AT GIER CENTER. THIS COMPANY WILL PROVIDE 'LASER TAG' GAME, 'HUMAN FOOSBALL', 'MAKE YOUR OWN VIDEO' PROGRAMS. EXPENSES TO BE MADE UP THROUGH FUTURE ADDITIONAL DONATION FROM LYRF.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$13,229	GENERAL FUND-ESTIMATED REVENUE 101-0-170001-0	
\$9,950		PARKS AND RECREATION- CONTROL 101-783860- 992200-0
\$3,279		GENERAL ADMIN.-CONTROL 101-173901-992200-0
\$9,950	PARKS AND RECREATION- CONTROL 101-783860- 992200-0	
\$3,750		ICE-OVERTIME HOURLY 101-783855-709000-0
\$6,200		ICE-UTILITIES 101- 783855-744000-0
\$3,279	GENERAL ADMIN. CONTROL 101-173901-992200-0	GENERAL ADMIN. FRINGE BENEFITS 101-173901- 715000-0

(ADDITIONAL EXPENSES TO CONTINUE USE OF DOMED RINK THROUGH APRIL. REVENUE DETAIL ACCOUNT 101-0479072 FOR GLAHA RENTALS.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

### RESOLUTION #131

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, PENNSYLVANIA AVENUE BETWEEN MILLER ROAD AND PIERPOINT STREET IS IN NEED OF REPAIR, AND

WHEREAS, THE MICHIGAN DEPARTMENT OF TRANSPORTATION PROVIDES FINANCIAL ASSISTANCE IN THE FORM OF GRANTS THROUGH ITS TRANSPORTATION ECONOMIC DEVELOPMENT FUNDS PROGRAM; AND

WHEREAS, THE GRANT REQUEST IS FOR \$375,000 AND THE CITY MATCHING FUNDS ARE ESTIMATED AT \$402,000, AND TO BE FROM THE FISCAL YEAR 1998 MAJOR STREET FUND;

NOW THEREFORE BE IT RESOLVED, THAT THE PUBLIC SERVICE DEPARTMENT SHALL BE AUTHORIZED TO APPLY FOR TRANSPORTATION ECONOMIC DEVELOPMENT FUNDS FOR THESE STREET IMPROVEMENTS;

AND BE IT FURTHER RESOLVED, THAT UPON GRANT AWARD, THE ADMINISTRATION IS AUTHORIZED TO APPROPRIATE ADMINISTRATIVELY THE NECESSARY ACCOUNTS FOR THE GRANT WITH THE CITY MATCH COMING FROM THE FY 98 STREET REHABILITATION FUNDS.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #132**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING IS PARTICIPATING IN A PARTNERSHIP WITH NONPROFIT HOUSING CORPORATIONS, PRIVATE LENDING INSTITUTIONS AND THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY TO ESTABLISH THE HOME OWNERSHIP PROGRAM (HOP) IN THE CITY OF LANSING TO PROMOTE HOME OWNERSHIP AND REHABILITATION OF HOUSING UNITS; AND

WHEREAS, THE HOP WOULD RESULT IN A COMBINED PUBLIC AND PRIVATE INVESTMENT OF \$1.8 MILLION DOLLARS TO FINANCE THE PURCHASE AND REHABILITATION OF 30 HOUSING UNITS IN THE CITY BY NEW HOME OWNERS THIS YEAR; AND

WHEREAS, THE CITY COUNCIL HAS REVIEWED THE MAYOR'S RECOMMENDATION TO PROVIDE \$125,000.00 FROM THE CITY GENERAL FUND TO SERVE AS A LOAN LOSS RESERVE FOR THE HOP TO BE USED ONLY IN THE EVENT OF A DEFAULT ON A FIRST OR SECOND MORTGAGE THAT WOULD INVOLVE A BORROWER WITH AN INCOME IN EXCESS OF 80% THE MEDIAN FAMILY INCOME FOR LANSING; AND

WHEREAS, THE FUNDS WOULD BE PLACED IN AN INTEREST BEARING ESCROW ACCOUNT AND WOULD REQUIRE THE APPROVAL OF THE CITY FOR WITHDRAWAL IN THE EVENT OF A DEFAULT; AND

WHEREAS, THE CITY COUNCIL SUPPORTS THE HOP AND CONCURS WITH THE MAYOR'S RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED THAT THE TRANSFER OF FUNDS FROM ACCOUNT #101-173901-715000-0, GENERAL ADMINISTRATION/FRINGE BENEFITS, TO ACCOUNT #101-173901-741831-0, HOME OWNERSHIP PROGRAM, IS HEREBY APPROVED.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #133**

BY COUNCILMEMBER BEAL  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON MARCH 26, 1997 MR. DERWOOD L. BOYD, A LANSING NATIVE, WILL BE RECOGNIZED BY THE SOUTH LANSING BUSINESS ASSOCIATION AS THEIR COMMUNITY SERVICE PERSON OF THE YEAR; AND

WHEREAS, MR. BOYD'S COMMUNITY INVOLVEMENT AND LEADERSHIP WAS FIRST EVIDENCED BY BECOMING THE FOUNDING PRESIDENT OF MT. HOPE ELEMENTARY SCHOOL PARENT-TEACHER ASSOCIATION, BRINGING PARENTS, NEIGHBORS, AND TEACHERS TOGETHER IN SUPPORT OF THE ELEMENTARY SCHOOL SO WIDELY RECOGNIZED ON LANSING'S SOUTH SIDE; AND

WHEREAS, MR. BOYD'S SERVICE HAS SPANNED OVER 50 YEARS INCLUDING SERVING AS PRESIDENT OR CHAIR OF VIRTUALLY EVERY COMMUNITY ORGANIZATION ON WHICH HE HAS SERVED INCLUDING THE GREATER LANSING VISITING NURSE ASSOCIATION; HIGHFIELDS INC.; INGHAM COUNTY BOARD OF COMMISSIONERS; INGHAM COUNTY BOARD OF PUBLIC WORKS; INGHAM COUNTY MEDICAL CENTER; AND CAPITAL REGION AIRPORT AUTHORITY; AND

WHEREAS, IN NO COMMUNITY ENDEAVOR HAS DERWOOD DEMONSTRATED MORE DEDICATION THAN TO THE SUCCESS OF THE GREENLAWN CAMPUS OF MICHIGAN CAPITAL MEDICAL CENTER, FORMERLY INGHAM MEDICAL CENTER, WHERE, AS A MEMBER OF THE INGHAM COUNTY BOARD OF COMMISSIONERS HE WAS INSTRUMENTAL IN SUPPORTING THE GROWTH OF THE FACILITY, AND LATER, AS A MEMBER OF THE INGHAM MEDICAL CENTER BOARD OF TRUSTEES, HE HELPED ESTABLISH THE DEVELOPMENT COUNCIL WHICH CONTINUES TO PROVIDE BROAD SUPPORT FOR THIS WELL-RECOGNIZED AND RESPECTED ACUTE CARE HOSPITAL, AND WHERE HE REMAINS AN EMERITUS MEMBER OF THE CENTER'S FOUNDATION/DEVELOPMENT COUNCIL.

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 24TH DAY OF MARCH, 1997 HEREBY SALUTES MR. DERWOOD L. BOYD FOR HIS OUTSTANDING RECORD OF COMMUNITY INVOLVEMENT AND SERVICE, AND ACKNOWLEDGES HIS SELECTION AS THE SOUTH LANSING COMMUNITY SERVICE PERSON OF THE YEAR; AND

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OFFERS THEIR WARMEST WISHES TO DERWOOD, AND HIS WIFE LIZ, FOR CONTINUED HEALTH AND HAPPINESS IN THEIR SERVICE TO THE LANSING COMMUNITY.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY



**RESOLUTION #134**

BY COUNCILMEMBER BEAL  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON MARCH 26, 1997 MR. JIM SCHMIDT, A LIFELONG RESIDENT OF THE LANSING AREA, WILL BE RECOGNIZED BY THE SOUTH LANSING BUSINESS ASSOCIATION AS THEIR BUSINESS PERSON OF THE YEAR; AND

WHEREAS, IN 1975 AT THE AGE OF 19 JIM, TOGETHER WITH HIS HIGH SCHOOL "BUDDY" DAVID GOODMAN, FOUNDED THE HYACINTH HOUSE WITH POOLED ASSETS OF \$500, LOCATED THEIR FIRST STORE IN A 7 BY 11 FOOT AREA ON THE SECOND FLOOR OF THE OLD KNAPPS' BUILDING IN DOWNTOWN LANSING AND, ON THEIR FIRST BUSINESS DAY, GROSSED A HARD-EARNED FIFTY-TWO DOLLARS; AND

WHEREAS, IN 1977 JIM AND DAVID PURCHASED A SMALL GREENHOUSE AT THEIR CURRENT LOCATION ON PENNSYLVANIA AVENUE AND, BY 1980 WERE OPERATING FOUR STORES, A GREENHOUSE, AND A WICKER WAREHOUSE; AND

WHEREAS, TODAY HYACINTH HOUSE/VAN PEENEN'S, HAVING SURVIVED BUSINESS GROWING PAINS AND THE BURNING OF THE MAIN GREENHOUSE, BOASTS 650 ACTIVE WHOLESALE CUSTOMERS, 30,000 SQUARE FEET OF GREENHOUSE SPACE, 2,500 OF RETAIL APACE, 50 EMPLOYEES, AND 10 DELIVERY TRUCKS SERVING THE STATE OF MICHIGAN.

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 24TH DAY OF MARCH, 1997 HEREBY COMMENDS MR. SCHMIDT ON HIS PERSEVERANCE AND ACCOMPLISHMENTS, AND ACKNOWLEDGES HIS SELECTION AS THE SOUTH LANSING BUSINESS ASSOCIATION BUSINESS PERSON OF THE YEAR; AND

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL RECOGNIZES THE CONTRIBUTIONS MADE BY DAVID GOODMAN, AND THE SUPPORT PROVIDED BY JIM'S WIFE, BARBARA, AND THEIR FIVE CHILDREN, HEIDI, BILL, KATHARINE, JOEY, AND MICHAEL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #136**

BY THE PLANNING AND DEVELOPMENT  
COMMITTEE  
ACQUISITION OF 216 E. GRAND RIVER AVENUE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL AUTHORIZED THE ADMINISTRATION IN RESOLUTION #321 PASSED JULY 15, 1996 TO NEGOTIATE THE ACQUISITION OF THE PROPERTY LOCATED AT 216 E. GRAND RIVER AVENUE FOR THE PURPOSE OF CLEARING THE SITE FOR EXPANSION OF PARKLAND AND CREATION OF A PUBLIC

SPACE TO STIMULATE NEIGHBORHOOD REDEVELOPMENT;  
AND

WHEREAS, PURSUANT TO THAT AUTHORIZATION, THE ADMINISTRATION HAS ENGAGED IN NEGOTIATIONS WITH THE OWNER OF THE PROPERTY, WILLIAM ENSLEY, TO ACQUIRE THE SITE; AND

WHEREAS, THE AGREEMENT OF PURCHASE AND SALE OFFER PROVIDES FOR A CASH PAYMENT BY THE CITY FOR THE REAL PROPERTY, FIXTURES AND BUSINESS (INCLUDING GOODWILL), AND ANY INTEREST MR. ENSLEY HAS IN RACE STREET, AND HAS BEEN SIGNED AND PRESENTED TO THE CITY BY THE OWNER; AND

WHEREAS, IT IS NECESSARY FOR THE CITY COUNCIL TO APPROVE THE TRANSACTION INCLUDING THE REAL PROPERTY PURCHASE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL AUTHORIZE THE ACQUISITION OF THE PROPERTY, FIXTURES AND BUSINESS LOCATED AT 216 E. GRAND RIVER, WHICH PROPERTY IS LEGALLY DESCRIBED IN THE TITLE AS:

COMMENCING AT A POINT 150 FEET WEST OF THE NORTHEAST CORNER OF THE SUBDIVISION OF BLOCK NO. 12, ORIGINAL PLAT, CITY OF LANSING, THENCE WEST 33 1/4 FEET, THENCE SOUTH 90 FEET, THENCE EAST 33 1/4 FEET, THENCE NORTH 90 FEET TO THE PLACE OF BEGINNING, AS RECORDED IN LIBER 7 OF DEEDS, PAGE 593, INGHAM COUNTY RECORDS, ALSO COMMENCING 130 FEET WEST OF THE NORTHEAST CORNER OF BLOCK 12, ORIGINAL PLAT, CITY OF LANSING, THENCE WEST 20 FEET, THENCE SOUTH 90 FEET THENCE EAST 20 FEET, THENCE NORTH 90 FEET TO BEGINNING, ALSO THE WEST 24 FEET OF THE EAST 130 FEET OF THE NORTH 90 FEET OF LOT 1 OF SEYMOUR'S SUBDIVISION OF BLOCK 12 OF THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

AND LEGALLY DESCRIBED IN THE SURVEY AS:

PARTS OF LOT 1 AND MILL RACE, SEYMOUR'S SUBDIVISION OF BLOCK 12, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK 12, THENCE WEST ALONG THE NORTH LINE OF SAID BLOCK 12 A DISTANCE OF 105.53 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE S00016'47"E 89.66 FEET; THENCE WEST 76.91 FEET; THENCE N00016'47"W 89.66 FEET; THENCE EAST ALONG SAID NORTH LINE 76.91 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 0.16 ACRES MORE OR LESS,

FOR THE PURCHASE PRICE OF \$250,000.00 AND ACCORDING TO THE TERMS OF THE AGREEMENT OF PURCHASE AND SALE SIGNED BY WILLIAM ENSLEY AND

DATED MARCH 3, 1997.

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL ALSO AUTHORIZE THE ACQUISITION OF ANY INTEREST MR. ENSLEY MAY HAVE IN RACE STREET, LEGALLY DESCRIBED AS;

PARTS OF LOTS 2, 3, 4, 5, THE MILL RACE AND A RACE, SEYMOUR'S SUBDIVISION OF BLOCK 12, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN; COMMENCING AT A POINT 188.42 FEET WEST OF THE NORTHEAST CORNER OF SAID BLOCK 12, THENCE S00016'47"E 89.66 FEET; THENCE S18008'18"E 51.74 FEET; THENCE S28007'17"E 197 FEET MORE OR LESS TO A LINE BEGINNING THE SOUTH LINE OF MAPLE STREET AS EXTENDED WEST OF CENTER STREET; THENCE WEST 8 FEET; THENCE N28°W 3.97 FEET; THENCE WEST 14.68 FEET; THENCE N28007'17"W 182.39 FEET; THENCE N 15002'18"W 71.37 FEET; THENCE N00°16'47"W 79.33 FEET TO THE NORTH LINE OF SAID PLAT AND SOUTH LINE OF GRAND RIVER AVENUE; THENCE EAST 20 FEET TO THE POINT OF BEGINNING,

AS PART OF THE PURCHASE IN EXCHANGE FOR A QUIT CLAIM DEED FOR THIS PORTION OF RACE STREET TO BE GRANTED BY MR. ENSLEY.

BE IT FURTHER RESOLVED THAT, ONCE ACQUIRED, THE PROPERTY BE PLACED UNDER THE JURISDICTION OF THE PARKS AND RECREATION DEPARTMENT FOR MAINTENANCE AND REDEVELOPMENT.

BE IT FURTHER RESOLVED THAT IT IS THE INTENT OF THE CITY TO REMOVE THE STRUCTURE AT A FUTURE DATE TO PREPARE THE SITE FOR EXPANSION OF PARKLAND AND PUBLIC SPACE.

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS AUTHORIZED TO APPROPRIATE FROM GENERAL FUND FUND BALANCE ACCOUNT 101-0-390001 IN THE AMOUNT OF \$250,000.00 TO AN APPROPRIATE OPERATING TRANSFER ACCOUNT AND SUBSEQUENTLY TO THE INFRASTRUCTURE ACCOUNT 410-933690-971000-43837.

BE IT FINALLY RESOLVED THE MAYOR IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESTATED TRANSACTION, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION # 137

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE FIRST ANNUAL POLICE COMMUNITY RELATIONS CONFERENCE IS CURRENTLY SCHEDULED FOR MAY 17, 1997; AND

WHEREAS, THE LANSING CITY COUNCIL CURRENTLY HAS A BUDGET WRAP-UP SESSION SCHEDULED ON THE SAME DATE WHICH WILL PREVENT COUNCILMEMBERS FROM ATTENDING; AND

WHEREAS, THE MAY 17 DATE ALSO CONFLICTS WITH THE "MICHIGAN PARADES INTO THE 21ST CENTURY PARADE;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL EXPRESSES ITS INTENT AS FOLLOWS:

1. THE LANSING CITY COUNCIL SUPPORTS REEXAMINATION OF THE DATE OF MAY 17, 1997, WITH ALTERNATIVES TO BE EXPLORED INCLUDING MAY 31, 1997, WHICH IS AN ACCEPTABLE DATE FOR THE LANSING CITY COUNCIL; AND
2. THE LANSING CITY COUNCIL REQUESTS THE PLANNING COMMITTEE FOR THE POLICE COMMUNITY RELATIONS CONFERENCE TO MEET AT THE EARLIEST POSSIBLE DATE TO REVIEW THE DATE AND FORMAT OF THE CONFERENCE.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

### ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE  
ADDING A NEW CHAPTER, CHAPTER 234  
EMERGENCY MANAGEMENT ORDINANCE

BY COUNCILMEMBER ALLEN:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW CHAPTER, CHAPTER 234, FOR THE PURPOSE OF EMERGENCY MANAGEMENT ORDINANCE TO PROVIDE FOR THE MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY FROM NATURAL AND HUMAN-MADE DISASTERS WITHIN THE CITY OF LANSING, WAS INTRODUCED BY COUNCILMEMBER ALLEN AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

#### RESOLUTION # 135

RESOLUTION SETTING PUBLIC HEARING  
BY COUNCILMEMBER ALLEN:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, APRIL 7, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW CHAPTER, CHAPTER 234 FOR THE PURPOSE OF EMERGENCY MANAGEMENT ORDINANCE TO PROVIDE FOR THE MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY FROM NATURAL AND HUMAN-MADE

DISASTERS WITHIN THE CITY OF LANSING

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

### OTHER BUSINESS

#### ► INCLUDING PUBLIC COMMENT (THREE MINUTE TIME LIMIT)

ED SIMMER OF 2609 DYER ST. WELCOMED EVERYONE TO 'POTHOLE HEAVEN'. THE RESIDENTS OF LANSING, HE SAID, ARE DISGUSTED WITH THE CONDITION OF THEIR STREETS. IF YOU ARE A DISGUSTED CITIZEN, PLEASE CALL GOVERNOR ENGLER AT 373-3400.

REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH THANKED COUNCIL FOR SUPPORTING THE RESOLUTION REQUESTING THAT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE BE RESCHEDULED.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. STATED THAT HE IS A MEMBER OF UAW. UAW EMPLOYEES ARE THE PEOPLE THAT PAY THE TAXES THAT PAY THE WAGES OF STATE OF MICHIGAN WORKERS. HE AGREES THAT THE CITY SHOULD DIVERSIFY IT'S FINANCIAL BASE, HOWEVER, IN THE MEANTIME WE MUST KEEP OUR HANDS ON WHAT WE ALREADY HAVE.

LEWIS BOZEK, NO ADDRESS GIVEN, CRITICIZED MAYOR HOLLISTER'S RECOMMENDATIONS (CONTAINED IN THE PROPOSED BUDGET) FOR THE ADDITION OF TWO POSITIONS IN THE HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT TO HANDLE COMPLAINTS. THIS WOULD ONLY REWARD THE INACTION OF THIS ADMINISTRATION. AFTER FIVE MONTHS OF INQUIRIES INTO THE DETAILS OF THE DEATH OF THEIR SON, THEY STILL HAVE NOT RECEIVED ANY INFORMATION AS TO WHAT HAPPENED. THEY DESERVE ANSWERS TO THEIR QUESTIONS AND ACTION ON THEIR COMPLAINTS, AND THEY CERTAINLY DESERVED TO RECEIVE IT PRIOR TO THE FIVE MONTHS THAT HAVE NOW ELAPSED. THE FUNDING FOR THESE TWO POSITIONS SHOULD BE USED TO STAFF A CITIZENS REVIEW BOARD.

DARNELL OLDHAM, NO ADDRESS GIVEN, THANKED COUNCIL FOR APPROVING THE RESOLUTION REQUESTING THE RESCHEDULING OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE. HE EXPLAINED THE STRUCTURE WITHIN THE MARCH FOR JUSTICE. THEY ARE A COMPLETELY DEMOCRATIC ORGANIZATION. EACH MEMBER VOTES ON WHATEVER ISSUE IS IN FRONT OF THEM. THEY ARE NOT THE PERSONAL VOICE OF REVEREND LESTER STONE. THEY ALL VOTE WEEKLY ON THE ACTIONS THEY TAKE. THE FACILITY THAT HAS BEEN SCHEDULED TO HOLD THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE IS INADEQUATE IN TERMS OF BEING ABLE TO ACCOMMODATE THE NUMBER OF PEOPLE THEY ARE EXPECTING TO TAKE PART IN THE CONFERENCE.

MELANIE ROGERS OF 409 W. WILLOW ST. SAID THAT SHE AND HER HUSBAND HAVE BEEN GRANTED AN EXTENSION UNTIL THE MIDDLE OF MAY TO COMPLETE THE VINYL SIDING ON THEIR HOME. SHE SUPPORTS THE CONCEPT OF A CITIZEN COMPLAINT COORDINATOR. SHE ASKED FOR INFORMATION ABOUT THE NUMBER OF CODE COMPLIANCE OFFICERS THAT OWN RENTAL PROPERTY IN THE CITY OF LANSING, AND WHO INSPECTS THEIR PROPERTIES.

CONNIE DELANEY OF 3721 AURELIUS RD. SPOKE IN SUPPORT OF A 100% COMMODITIES BASED SEWER RATE METHODOLOGY.

KELLY THOMPSON OF 226 BEAL IN E. LANSING, EXECUTIVE DIRECTOR OF THE PRINCIPAL SHOPPING DISTRICT ASKED COUNCIL TO RECONSIDER THE APPOINTMENT OF STEVE HRAPKIEWICZ TO THE PSD BOARD.

JENNIFER WICKENS OF 3625 COOLEY DR. SAID THAT SHE IS THE WIFE OF A UAW EMPLOYEE. HE IS A HARD WORKING, HONEST, INTELLIGENT MAN. SHE EXPRESSED HER FRUSTRATION THAT COUNCILMEMBER LILLY IS NO LONGER PRESENT TO HEAR HER COMMENTS. GENERAL MOTORS PROVIDES AN HONEST LIVING TO THOUSANDS OF PEOPLE. THEY CANNOT AFFORD TO LISTEN TO THE COMMENTS OF IGNORANT PEOPLE. THEY WOULD NOT LIVE IN LANSING, SPEND MONEY IN LANSING, HAVE A MORTGAGE IN LANSING, OR PAY TAXES IN LANSING WERE IT NOT FOR GENERAL MOTORS.

HELEN FISER OF 12100 S. CORK IN MORRICE SPOKE IN SUPPORT OF COUNCILMEMBER LILLY AND THE COMMENTS THAT WERE TAKEN OUT OF CONTEXT AND PRINTED IN THE STATE JOURNAL.

TOM LAFFERTY OF 1806 W. MICHIGAN SPOKE REGARDING ENVIRONMENTAL STANDARDS AND THE NEW TOILETS THAT FLUSH USING ONLY 1.7 GALLONS OF WATER. IT HAS BEEN DISCOVERED THAT THESE TOILETS DO NOT WORK ON THE FIRST FLUSH. THIS IS A GOOD EXAMPLE OF OUR NEED TO BE RESPONSIBLE WHEN WE PASS LEGISLATION.

TOM HERNLY OF 3425 PALMER SAID THAT THE CITY NEEDS TO INCLUDE MORE PUBLIC INPUT INTO THE NPDES PERMIT APPLICATION PROCESS. HE STATED THAT, ACCORDING TO REPORTS THAT HE RECEIVED MOST STORM SEWAGE BACKUPS WERE CAUSED BY OBSTRUCTIONS IN THE PROPERTY OWNERS LINE.

### REPORTS OF COUNCIL COMMITTEES

#### THE MOTION FOR RECEIPT OF THIS COMMITTEE REPORT WAS DEFEATED

##### REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, TO WHOM WAS REFERRED THE CONSIDERATION FOR THE APPOINTMENT OF STEPHEN HRAPKIEWICZ TO THE PRINCIPAL SHOPPING DISTRICT BOARD;

REPORTS AS FOLLOWS: THE COMMITTEE FELT THAT IT

WAS IMPORTANT TO PROMOTE MEMBERSHIP FROM INDIVIDUALS LIVING WITHIN THE LANSING CITY LIMITS AND REFERRED BACK TO THE MAYOR'S OFFICE THE RECOMMENDATION OF MR. HRAPKIEWICZ REQUESTING THAT ANOTHER INDIVIDUAL BE RECOMMENDED WHO RESIDES IN THE CITY OF LANSING.

SIGNED: HAROLD LEEMAN, CHAIRPERSON  
RICK LILLY  
HOWARD JONES

BY COUNCILMEMBER LEEMAN

THAT THE REPORT OF THE COMMITTEE BE RECEIVED AND REFERRED TO THE MAYOR'S OFFICE.

MOTION DEFEATED BY THE FOLLOWING VOTE

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

### **CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

WASTE HAULER - SPARTAN SERVICES, INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE CITY CLERK SUBMITTING THE RECOMMENDATIONS OF THE ELECTED OFFICERS COMPENSATION COMMISSION, FILED WITH THE CITY CLERK ON FRIDAY, MARCH 21, 1997

RECEIVED AND PLACED ON FILE (INFORMATIONAL COPY TO THE COMMITTEE OF THE WHOLE)

4. AFFIDAVITS OF DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST, OR APPEARANCE OF CONFLICT OF INTEREST, FILED BY:

- G. BRIAN SHIELDS, MECHANICAL INSPECTOR FOR THE BUILDING SAFETY OFFICE

- JAMES E. BENNETT, ASSISTANT PLAN ANALYST FOR THE BUILDING SAFETY OFFICE (MR. BENNETT HAS FILED TWO (2) AFFIDAVITS, ONE WITH RESPECT TO HIS OWNERSHIP OF A RESIDENTIAL RENTAL PROPERTY AND ONE WITH RESPECT TO HIS OWNERSHIP IN A CONSTRUCTION FIRM)

REFERRED TO THE ETHICS BOARD AND THE CITY

ATTORNEY

5. LETTERS FROM THE MAYOR RE:

A. 1996 AFFIRMATIVE ACTION REPORT

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. LETTER OF APPRECIATION FROM GEORGETTE PERENA AND COLEEN SOOTSMA OF THE CAPITAL AREA FAMILY VIOLENCE COORDINATING COUNCIL TO LPD OFFICER ELIZABETH BONILLA

RECEIVED AND PLACED ON FILE

C. LETTER FROM CONNIE DOYLE OF THE FABULOUS ACRES NEIGHBORHOOD ASSOCIATION IN SUPPORT OF THE LPD COMMUNITY POLICING PROGRAM

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

D. LETTER FROM ANDY AND DEB FREDERICK OF 3728 STONELEIGH IN SUPPORT OF THE STORMWATER ENTERPRISE FUND ORDINANCE

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS

E. PARKING REGULATION CHANGE REQUEST; CHESTNUT AREA METER PLAN

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. TRANSFER OF FUNDS; PLANNING & NEIGHBORHOOD DEVELOPMENT AND PUBLIC SERVICES DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

G. LETTER OF APPRECIATION FROM MARGARET & DON GIERMAN OF 2016 JEROME ST. TO THE CITY OF LANSING FORESTRY DIVISION

RECEIVED AND PLACED ON FILE

H. NOTICE OF THE SELECTION OF LANSING FOR THE AMERICORPS\* NATIONAL CIVILIAN COMMUNITY CORPS NEIGHBORHOOD INITIATIVE PROJECT

REFERRED TO THE MAYOR

I. LETTER OF APPRECIATION FROM REPRESENTATIVE LYNNE MARTINEZ FOR THE CITY OF LANSING'S PROGRESS WITH THE CSO PROJECT AND THE CLEANUP OF WATER QUALITY IN LANSING AND MICHIGAN

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS

J. NOTICE OF THE DESIGNATION OF LANSING AS A 1996 TREE CITY USA

RECEIVED AND PLACED ON FILE

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM KENT HJELM OF BIRKA SERVICE AB IN STOCKHOLM, SWEDEN REQUESTING INFORMATION ABOUT A MICHIGAN DEMONSTRATION PROJECT INVOLVING THE USE OF FLYASH AS CONSTRUCTION MATERIAL IN ROAD CONSTRUCTION

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

2. LETTER FROM RAY KOIVISTO OF 313 E. EDGEWOOD #6 PROTESTING THE RAISE IN CABLE TELEVISION RATES

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

3. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES PROVIDING NOTICE OF THE AVAILABILITY OF AN ADDITIONAL FULL YEAR ON PREMISE LIQUOR LICENSE, DUE TO THE CANCELLATION OF A 1991 CLASS C LICENSE ISSUED IN THE NAME OF ARTHUR H. PETSIKAS

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. LETTERS IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE FROM:

- MR. & MRS. JOSE R. GARZA 903 ZOA ST. (ALSO CONTAINS FEE APPEAL)
- PETITION CONTAINING 20 SIGNATURES
- LUCY MAZUREK OF 727 SEYMOUR AVE.
- 77 POSTCARDS SUPPORTING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. LETTERS FROM HELEN FISER OF 12100 S. CORK IN MORRICE RE:

- REQUESTING INFORMATION FROM THE DIRECTOR OF DEQ REGARDING THE CITY OF LANSING NPDES PERMIT FOR THE WASTE WATER TREATMENT PLANT

RECEIVED AND PLACED ON FILE

- REQUESTING THAT THE APPEALS PROCESS FOR 1996 STORMWATER ENTERPRISE FUND FEES BE RESTARTED BEGINNING FROM THE NOTIFICATION POINT, AND FILING APPEALS FOR 9 PROPERTIES; 1500 E. CAVANAUGH, MSV LAKE LANSING RD.,

3721 AURELIUS RD., 1434 E. JOLLY RD., 5025 ALPHA ST., 1836 E. CAVANAUGH RD., 215 RUMSEY, 1725 FIDELITY RD., 1814 REX ST.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

**COUNCILMEMBERS COMMENTS**

COUNCILMEMBER LEEMAN ENCOURAGED EVERYONE TO GO AND VISIT THE OLD ESTES FURNITURE LOCATION AT N. WASHINGTON AND GRAND RIVER AND SEE THE RENOVATION OF THAT BUILDING.

COUNCILMEMBER ALLEN EXPRESSED HER SYMPATHY TO MARK EGGLESTON ON THE LOSS OF HIS LAWSUIT AGAINST THE INGHAM COUNTY BOARD OF CANVASSERS. SHE URGED ALL VOTERS TO CAREFULLY READ AND FOLLOW THE DIRECTIONS ON THEIR BALLOTS. SHE ANNOUNCED THAT WASTE COLLECTION AND RECYCLING WILL BE DELAYED BY ONE DAY NEXT WEEK BECAUSE OF THE GOOD FRIDAY HOLIDAY. ADDITIONALLY, THE CITY WILL BE COLLECTING BRUSH AND WASTE FROM THE RECENT ICE STORM, BEGINNING TODAY. CALL 483-4400 FOR INFORMATION ABOUT BUNDLING SHRUBBERY.

COUNCILMEMBER BENAVIDES CLARIFIED THE RULING OF JUDGE STELL IN THE EGGLESTON V INGHAM COUNTY BOARD OF CANVASSERS LAWSUIT. JUDGE STELL FOUND THAT THE LAWSUIT WAS COMPLETELY FRIVOLOUS AND WITHOUT MERIT, AND THAT MR. EGGLESTON WAITED TOO LONG TO FILE IT. MR. EGGLESTON'S LAWYER FILED THE LAWSUIT LATE, AND IN THE WRONG COUNTY.

COUNCILMEMBER NOVAK SPOKE IN SUPPORT OF THE APPOINTMENT OF STEVE HRAPKWIECZ TO THE PSD.

COUNCILMEMBER BAUER REPORTED THAT LAST TUESDAY WAS THE COMMEMORATION OF THE 150 YEAR ANNIVERSARY OF THE NAMING OF LANSING AS THE STATE CAPITOL. SHE COMMENDED THE BOARD OF WATER & LIGHT EMPLOYEES AND CONSUMERS POWER EMPLOYEES WHO WORKED SO DILIGENTLY TO RETURN POWER TO US AFTER THE ICE STORM. SHE URGED THE PUBLIC TO SUPPORT HER PLEA FOR ADDITIONAL FUNDING FOR PROJECT PLAY TO COMPLETE THE RENOVATION OF A FEW FINAL PLAYGROUNDS. SHE COMMENDED LENORA JADUN ON HER SERVICE TO THE CITY. SHE REPORTED RECEIVING MANY CALLS IN SUPPORT OF GENERAL MOTORS. SHE HOPES HER COLLEAGUES WILL DO EVERYTHING THEY CAN TO KEEP GM IN LANSING.

COUNCILMEMBER JONES THANKED THE OTTO MIDDLE SCHOOL STUDENTS WHO COLLECTED FOOD STUFFS FOR THE FLOOD VICTIMS IN KENTUCKY AND TENNESSEE. HE THANKED THE FORESTRY DEPARTMENT EMPLOYEES WHO HAVE BEEN CLEARING HEAVY LIMBS. HE REPORTED THAT GENERAL MOTORS APPLIED FOR A WAIVER OF THE ODOR EMISSIONS REMEDIATION ORDER ISSUED TO THEM BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY, HOWEVER THEIR REQUEST WAS DENIED. HE CONGRATULATED MIKE JENKS OF THE PUBLIC SERVICE

DEPARTMENT ON THE OCCASION OF HIS RETIREMENT FROM THE RECYCLING PROGRAM.

COUNCILMEMBER BEAL ANNOUNCED THE CANCELLATION OF THE REGULARLY SCHEDULED MEETING OF THE COMMITTEE OF THE WHOLE THIS THURSDAY.

**MAYOR'S EXECUTIVE ASSISTANT'S  
RESPONSE TO COMMENTS**

MR. WIENER SAID THAT THE MEMBERS OF THE MARCH FOR JUSTICE AGREED ON THE DATE SCHEDULED FOR THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE. THERE APPEARS TO HAVE OCCURRED A COUPLE OF ARGUMENTS BETWEEN THE MEMBERS OF THE MARCH FOR JUSTICE AND THE HUMAN RELATIONS AND COMMUNITY SERVICES BOARD, BUT NOT OVER THE SCHEDULING OF THE CONFERENCE. HE URGED BOTH SIDES OF THIS ISSUE TO TONE DOWN THE RHETORIC ONCE AGAIN. THERE HAD BEEN AN AGREEMENT ON THE DATE, CLEARLY THAT AGREEMENT HAS FALLEN APART, THEREFORE WE WILL BACK TO THE COMMITTEE MEMBERS TO SELECT ANOTHER DATE.

**ADJOURNED 9:55 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MARCH 31, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION WAS LED BY COUNCILMEMBER ALLEN  
AND THE PLEDGE OF ALLEGIANCE WAS LED BY THE  
COLOR GUARD OF THE LANSING BOYS & GIRLS CLUB

**APPROVAL OF MINUTES**

BY COUNCILMEMBER LILLY

TO PULL THE APPROVAL OF THE PRINTED COUNCIL  
PROCEEDINGS OF MARCH 24, 1997, FROM THE  
AGENDA

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LEEMAN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER LEEMAN; A LETTER FROM  
THE PUBLIC SERVICE DIRECTOR SUBMITTING A  
RESOLUTION FOR PUBLIC IMPROVEMENT II ON MT.  
HOPE AVE.

2. FROM COUNCILMEMBER LEEMAN; A LETTER FROM  
THE PUBLIC SERVICE DIRECTOR SUBMITTING A  
RESOLUTION FOR PUBLIC IMPROVEMENT II ON MEL  
AVE., WIELAND ST., DAVID ST., DORIS ST. AND  
SCHAFFER RD.

3. FROM COUNCILMEMBER ALLEN; A LETTER FROM  
STEPHEN AND JULIE BEAL OF 2205 LYONS AVE.  
REQUESTING INSTALLATION OF A STOP SIGN ON LYONS  
AVE.

4. FROM COUNCILMEMBER ALLEN; A LETTER FROM  
BARBARA LUOMA OF JERRY'S AUTOMOTIVE AT 5544  
S. M.L. KING BLVD. CONTINUING HER OPPOSITION TO  
THE PROPOSED SILVERSTONE LDHA PROJECT AND PILOT

5. FROM COUNCILMEMBER ALLEN; A LETTER FROM  
THOMAS STANTON OF 701 MCKIM AVE. IN SUPPORT

OF THE STORMWATER ENTERPRISE FUND AND  
SUGGESTING WAYS OF IMPROVING THE CURRENT SYSTEM

6. FROM COUNCILMEMBER LILLY; A SUBSTITUTE  
RESOLUTION FOR ITEM VIII B-3F, RESOLUTION  
AUTHORIZING CONSTRUCTION OF A PARKING RAMP ON  
THE B-1 SITE

7. FROM COUNCILMEMBER; LILLY; A RESOLUTION  
AMENDING THE LEGAL DESCRIPTION OF THE BASEBALL  
STADIUM

8. FROM COUNCILMEMBER JONES; A LETTER FROM  
CAPITAL CITY RIVERFEST REQUESTING AN  
APPROPRIATION OF FUNDS FOR THIS YEARS RIVERFEST  
EVENT

9. FROM COUNCILMEMBER JONES; A REQUEST FOR  
TRANSFER OF FUNDS FOR LPD CADET PROGRAM

10. FROM COUNCILMEMBER NOVAK; A REQUEST  
FOR RECOGNITION OF NON-PROFIT STATUS FROM THE  
WALNUT NEIGHBORHOOD ORGANIZATION

11. FROM COUNCILMEMBER NOVAK; A RESOLUTION  
PLACING A CHARTER AMENDMENT THAT WOULD REDUCE  
THE NUMBER OF REQUIRED CITY COUNCIL MEETINGS  
FROM 50 TO 26 ON THE AUGUST 5, 1997 CITY OF  
LANSING PRIMARY ELECTION BALLOT

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE  
PORTION OF THE REGULAR MEETING TO WHICH  
THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

A. COUNCILMEMBER ALLEN PRESENTED RESOLUTION  
OF TRIBUTE TO THE BOYS AND GIRLS CLUB OF  
LANSING.

B. ANGELO PRIGGOORIS KOSTARIDES SPOKE  
REGARDING THE DONATION FROM HIS GREAT  
GRANDFATHER, ANGEL PRIGGOORIS, OF PRIGGOORIS  
PARK TO THE CITY OF LANSING. HIS GRANDFATHER  
WAS ONE OF THE VERY FIRST PERSONS OF GREEK  
DESCENT IN THE LANSING AREA. HE WAS AN  
ENTREPRENEUR, AND A SUCCESSFUL BUSINESSMAN,  
OWNER OF THE MAJESTIC BUFFET ON MICHIGAN AVE.  
THEY ARE ASKING THAT THE CITY USE \$100,000 OF  
THE PROCEEDS FROM THE SALE OF PRIGGOORIS PARK  
TO BE GIVEN TO THE MICHIGAN WILD LIFE FOUNDATION  
FOR THE DEVELOPMENT OF A LAKE ON PRIGGOORIS  
PARK AND FOR THE PLACEMENT OF A MARKER ON THE  
SITE COMMEMORATING IT AS PRIGGOORIS LAKE. THEY  
ASK THAT THE REMAINING PROCEEDS FROM THE SALE

OF THE PRIGGOORIS PROPERTY BE ALLOCATED TO THE POTTER PARK ZOO DISCOVERY CENTER. HE LOOKS FORWARD TO A RETURN TRIP TO LANSING TO ATTEND THE DEDICATION CEREMONIES FOR THESE PROJECTS.

C. MAYOR HOLLISTER, ALONG WITH GUILLERMO LOPEZ FROM THE HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT PRESENTED A PROCLAMATION DECLARING APRIL AS FAIR HOUSING MONTH TO SNOWRENE HENRY FROM THE MICHIGAN DEPARTMENT OF CIVIL RIGHTS, ROSE MOORE FROM THE HOUSING RESOURCE CENTER AND FLOYD BRUMFIELD, COMMUNITY DEVELOPMENT OFFICER FOR OLD KENT BANK. MR. LOPEZ ANNOUNCED THAT THERE WILL BE A KICK-OFF CEREMONY TOMMORROW, AS WELL AS PUBLIC SERVICE ANNOUNCEMENTS THROUGH-OUT THE COMING MONTH. ADDITIONALLY, THERE WILL BE A WEEK-LONG "FAIR HOUSING" DISPLAY IN THE LOBBY OF CITY HALL AND A "FAIR HOUSING" POSTER CONTEST OPEN TO ALL OF THE CHILDREN OF LANSING. THEY WILL CONDUCT 4 INFORMATIONAL, EDUCATIONAL FORUMS EVERY MONDAY IN APRIL AT COMMUNITY AND NETWORK CENTERS.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### **► PUBLIC HEARINGS**

1. IN CONSIDERATION OF Z-18-96, 4720 S. CEDAR ST., PETITION FOR REZONING FROM "A" RESIDENTIAL TO "D-1" PROFESSIONAL OFFICE DISTRICT FILED BY THE LANSING CITY COUNCIL TO BRING THE PROPERTY INTO CONFORMANCE WITH THE SOUTHEAST AREA MASTER PLAN AND ENSURE ITS' COMPATIBILITY WITH ADJACENT RESIDENTIAL AND COMMERCIAL DEVELOPMENTS

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. IN CONSIDERATION OF THE ISSUANCE OF ORDERS FOR MAKE-SAFE OR DEMOLISH TO PROPERTY OWNERS FOR PROPERTY LOCATED AS FOLLOWS:

-611 MANCHESTER  
-505 REGENT  
-1127 W. MT. HOPE  
-1246 ALLEN

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

AL BUCHNER OF BOX 80191 SAID THAT HE NEVER RECEIVED PROPER NOTIFICATION FROM THE BUILDING SAFETY DIVISION OF THE PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT REGARDING THE DMS PROCEEDINGS FOR 611 MANCHESTER.

COUNCILMEMBER ALLEN ASSURED MR. BUCHNER THAT SHE WOULD CHECK INTO THE NOTIFICATION ISSUE AND RESPOND TO HIM PERSONALLY.

MELANIE ROGERS OF 409 W. WILLOW SAID THAT THE

USUAL NOTIFICATION THAT IS SENT OUT BY THE BUILDING SAFETY DIVISION THROUGH THE MAIL IS INADEQUATE. THEY SHOULD PROVIDE SOME TYPE OF PERSONAL NOTIFICATION. SOMETIMES MAIL DOES NOT GET DELIVERED AS IT IS SUPPOSED TO. SHE HAS RECEIVED

MAIL AT HER HOME THAT BELONGS TO PEOPLE 3 MILES AWAY.

#### **► LEGISLATIVE MATTERS**

HAROLD KING OF 1563 N. HIGH ST. SPOKE IN SUPPORT OF THE EXTENSION OF THE AGREEMENT FOR THE SALE OF PROPERTY LOCATED IN THE 1300 BLOCK OF TURNER ST.

DARNELL OLDHAM OF 3815 BERWICK SPOKE IN SUPPORT OF THE APPOINTMENT OF LUKE DEMYERS TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL.

### **LEGISLATIVE MATTERS**

#### **RESOLUTIONS**

##### **RESOLUTION #138**

BY THE COUNCILMEMBER ALLEN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MANAGER OF CODE COMPLIANCE HAS REQUESTED SETTING OF PUBLIC HEARINGS ON ORDERS BY THE DEMOLITION HEARING OFFICERS(S) TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED STRUCTURES AT SEVERAL ADDRESSES; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT PUBLIC HEARINGS BE SCHEDULED AND ANNOUNCED FOR 7:00 P.M. ON MONDAY, APRIL 14, 1997, IN THE 10TH FLOOR COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT THE ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED AND DANGEROUS STRUCTURES LOCATED AT:

616 S. FAIRVIEW; PARCEL No. 3301 14 362  
251 6, LOT 73 ULLRICH S  
SUB REC L 4 P 28

528 AVON; PARCEL No. 3301 21 477  
175 5, E 35 FT LOT 56  
TORRANCE FAM ADD

317 S PENNSYLVANIA; PARCEL No. 3301 15 332  
O41 O, S 42 FT OF N 46  
FT LOT 6 & N 4 FT OR E 2  
R LOT 6 BLOCK 14 GREEN  
OAK ADD

1621 LYONS; PARCEL No. 3301 22 352  
141 3, LOT 18 BLOCK 4  
ASSESSOR S PLAT No 28  
REC L 10 P 33

BE IT FURTHER RESOLVED THAT THE MANAGER OF



CODE COMPLIANCE IS REQUESTED TO MAKE ALL REQUIRED NOTIFICATIONS REGARDING THESE HEARINGS.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #139**

BY COUNCILMEMBER ALLEN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MANAGER OF CODE COMPLIANCE HAS REQUESTED SETTING OF PUBLIC HEARINGS ON ORDERS BY THE DEMOLITION HEARING OFFICERS(S) TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED STRUCTURES AT SEVERAL ADDRESSES; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT PUBLIC HEARINGS BE SCHEDULED AND ANNOUNCED FOR 7:00 P.M. ON MONDAY, APRIL 21, 1997, IN THE 10TH FLOOR COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT THE ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED AND DANGEROUS STRUCTURES LOCATED AT:

4522 STILLWELL; PARCEL No. 3301 31 306  
1713, LOT 88 CHURCHILL  
DOWNS SUB

1403 EMERSON; PARCEL No. 3301 09 154  
081 3, LOT 24 BLOCK 5  
GLENDALE PLACE

6051 SOUTHBROOK; PARCEL No. 3305 05  
431 271 0, LOT 31  
SOUTHBROOK SUBDIVISION

BE IT FURTHER RESOLVED THAT THE MANAGER OF CODE COMPLIANCE IS REQUESTED TO MAKE ALL REQUIRED NOTIFICATIONS REGARDING THESE HEARINGS.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #140**

BY COUNCILMEMBER BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE WEEK OF APRIL 6 THROUGH THE 12TH, 1997, WILL BE NATIONALLY CELEBRATED AS NATIONAL BOYS AND GIRLS CLUBS WEEK, A CELEBRATION THAT WILL BE OBSERVED BY OVER 3000 BOYS AND GIRLS CLUBS SERVING 3 MILLION YOUTH ACROSS THE NATION; AND

WHEREAS, MANY OF THE YOUTH SERVED LOOK UPON BOYS AND GIRLS CLUBS AS THEIR "HOME AWAY FROM HOME, RECEIVING TRAINING IN VARIOUS VOCATIONS IN ADDITION TO PARTICIPATING IN WHOLESOME LEISURE TIME ACTIVITIES THAT TEACH THEM A SENSE OF SOCIAL

RESPONSIBILITY AND SPIRITUAL VALUES, RESULTING IN GOOD CITIZENSHIP CHARACTERISTICS; AND

WHEREAS, THE BOYS AND GIRLS CLUB OF LANSING HAS BEEN SERVING LOCAL YOUTH AGES 7 THROUGH 17 SINCE 1965, CURRENTLY UTILIZING TWO LOCATIONS TO CONDUCT CLUB PROGRAMS, THE MOONEY CENTER AT 4315 PLEASANT GROVE ON THE SOUTHWEST SIDE OF LANSING AS THE MAIN PROGRAM SITE, AND THE GRAND RIVER ELEMENTARY SCHOOL EXTENSION CLUB AT 1107 EAST GRAND RIVER IN NORTH LANSING; AND

WHEREAS, THE BOYS AND GIRLS CLUBS OF LANSING PROVIDE A SAFE AND INVITING ENVIRONMENT FOR AREA YOUTH, STEERING YOUTH AWAY FROM THE STREETS INTO QUALITY PROGRAMS LED BY POSITIVE ROLE MODELS OFFERING ADULT GUIDANCE.

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 31ST DAY OF MARCH, 1997 HEREBY ACKNOWLEDGES AND COMMENDS THE BOYS AND GIRLS CLUBS OF LANSING FOR THEIR DEDICATED AND TRULY OUTSTANDING RECORD OF SERVICE TO AREA YOUTH OVER THE LAST 32 YEARS, AND

BE IT FURTHER RESOLVED THE CITY COUNCIL JOINS WITH THE BOYS AND GIRLS CLUBS OF LANSING IN CELEBRATING THEIR RECORD OF ACHIEVEMENT AND ENCOURAGES ALL AREA RESIDENTS TO PARTICIPATE IN THE ACTIVITIES OFFERED DURING THE WEEK LONG CELEBRATION.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #141**

BY THE COMMITTEE ON  
PLANNING AND DEVELOPMENT  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, LUKE DEMYERS, TO FILL A VACANCY TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HIS APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT LUKE DEMYERS BE APPOINTED TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL FOR TERM TO EXPIRE IN JUNE, 1998.

BY COUNCILMEMBER LILLY

TO ACCEPT A SUBSTITUTE RESOLUTION FOR THE ONE INCLUDED IN THE MEETING PACKET, AND TO PLACE AN AFFIRMATIVE ROLL ON THE SUBSTITUTE RESOLUTION

CARRIED UNANIMOUSLY

**RESOLUTION #142**  
BY THE COMMITTEE ON  
PLANNING AND DEVELOPMENT  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, ORBY GRAY, TO FILL A VACANCY TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HIS APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT ORBY GRAY BE APPOINTED TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL FOR TERM TO EXPIRE IN JUNE, 1998.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #143**  
BY THE COMMITTEE ON  
PLANNING AND DEVELOPMENT  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, SUBJECT TO CITY COUNCIL CONFIRMATION, ARNOLD METOYER, TO FILL A VACANCY TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL CONFIRM HIS APPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT ARNOLD METOYER BE APPOINTED TO THE SEVEN BLOCK CITIZENS DISTRICT COUNCIL FOR TERM TO EXPIRE IN JUNE, 1998.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #144**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AMERITECH, A MICHIGAN CORPORATION, HAS MADE A REQUEST TO INSTALL A TELEPHONE SERVICE TO TWO BOAT SCULLING BUILDINGS AT GRAND RIVER PARK; AND

WHEREAS, THE PARK BOARD RECOMMENDED ENTERING INTO A TELEPHONE EASEMENT AGREEMENT TO SERVICE THESE BUILDINGS;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL AUTHORIZES THE MAYOR TO EXECUTE A TELEPHONE EASEMENT AGREEMENT IN GRAND RIVER PARK WITH AMERITECH OR ITS SUCCESSOR, SUBJECT TO PRIOR APPROVAL BY THE CITY ATTORNEY AS TO FORM.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #145**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY COUNCIL OF THE CITY OF LANSING IN RESOLUTION #556, APPROVED DECEMBER 2, 1996, CHOSE FERGUSON DEVELOPMENT L.L.C. TO DEVELOP THE 1300 BLOCK OF TURNER STREET AND AUTHORIZED THE ADMINISTRATION TO NEGOTIATE A PURCHASE AND DEVELOPMENT AGREEMENT WITH THE DEVELOPER; AND

WHEREAS, THE RESOLUTION ALSO STIPULATES THAT IF THE PURCHASE AND DEVELOPMENT AGREEMENT IS NOT APPROVED BY THE CITY COUNCIL WITHIN 120 DAYS OF THE PASSAGE OF THE RESOLUTION, THE DEVELOPMENT AGREEMENT SHALL BECOME NULL AND VOID; AND

WHEREAS, CITY AND THE DEVELOPER, WHILE MAKING SUBSTANTIAL PROGRESS IN COMPLETING THE PURCHASE AND DEVELOPMENT AGREEMENT, HAVE BEEN UNABLE TO FINALIZE SUCH AN AGREEMENT PENDING COMPLETION OF GEOTECHNICAL AND ENVIRONMENTAL STUDIES ON THE PROPERTY; AND

WHEREAS, THE CITY COUNCIL WISHES TO EXTEND THE PERIOD FOR APPROVAL TO ALLOW FOR COMPLETION OF THESE STUDIES AND THE COMPLETION OF THE AGREEMENT;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY GRANTS A THIRTY (30) DAY EXTENSION TO PRESENT A DEVELOPMENT AGREEMENT, INCLUDING AN AGREEMENT OF SALE, BETWEEN THE CITY AND FERGUSON DEVELOPMENT L.L.C. FOR THE DEVELOPMENT OF THE 1300 BLOCK OF TURNER STREET.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

BY COUNCILMEMBER JONES

THAT ITEM #VIII-3F, RESOLUTION AUTHORIZING CONSTRUCTION OF PARKING RAMP ON THE B-1 SITE, BE PULLED FROM THE AGENDA AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS FOR THEIR REVIEW, PRIOR TO ADOPTION

CARRIED UNANIMOUSLY

**RESOLUTION #146**

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
ACT-27-96, 200 BLK. RUMSEY AVE.,  
ALLEY VACATION

WHEREAS, STACY HAMMOND, 220 RUMSEY AVE., LANSING, MI 48912 HAS REQUESTED THAT THE CITY OF LANSING VACATE A PORTION OF AN ALLEY BEHIND HER HOUSE AT 220 RUMSEY AVE. SO THAT IT CAN BE MAINTAINED AND USED APPROPRIATELY; AND

WHEREAS, THE ALLEY WOULD BE PARTITIONED EQUALLY BETWEEN THE TWO ADJACENT PROPERTIES [221 MARSHALL STREET, LANSING (PPN 3301-15-254201) AND 220 RUMSEY AVENUE, LANSING (PPN 3301-15-254091)] AND BECOME A PART OF LOTS 9 AND 20, BLOCK 2, RUMSEY'S MICHIGAN AVENUE ADDITION TO THE CITY OF LANSING, RESPECTIVELY; AND

WHEREAS, THE PLANNING BOARD CONDUCTED AN ACT 285 REVIEW (ACT-27-96) FOR CHARACTER, LOCATION AND EXTENT OF THE SUBJECT PARCEL, AND FOUND THAT THE REQUESTED VACATION OF THE ALLEY WILL NOT HAVE ANY ADVERSE IMPACT ON THE SURROUNDING USES AND THAT THERE IS NO PUBLIC PURPOSE IN RETAINING OWNERSHIP OF THE SUBJECT ALLEY PROPERTY; AND

WHEREAS, NO ONE SPOKE IN OPPOSITION TO THIS PROPOSAL AT EITHER THE JANUARY 28, 1997 DEVELOPMENT COMMITTEE MEETING, OR THE FEBRUARY 4, 1997 PLANNING BOARD MEETING; AND

WHEREAS, ON FEBRUARY 4, 1997, THE PLANNING BOARD RECOMMENDED APPROVAL OF THE REQUEST TO VACATE A PORTION OF THE ALLEY WHICH RUNS OFF OF JEROME STREET, RESERVING APPROPRIATE EASEMENTS FOR UTILITIES AND EASEMENTS; AND

WHEREAS, THE COMMITTEE ON PLANNING AND DEVELOPMENT HAS REVIEWED THE REPORT AND RECOMMENDATION OF THE PLANNING BOARD AND CONCURS WITH THE RECOMMENDATION;

NOW THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY VACATES THE ALLEY PROPERTY MORE PARTICULARLY DESCRIBED AS:

*THAT PART OF AN ALLEYWAY LYING NORTH OF THE SOUTH LINES AND SOUTH OF THE NORTH LINES OF LOTS 9 AND 20, BLOCK 2, RUMSEY'S MICHIGAN AVENUE ADDITION TO THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN*

RESERVING, HOWEVER, UNTO THE CITY OF LANSING AN EASEMENT UNDER, ACROSS, ABOVE, AND WITHIN THE RIGHT OF WAY OF SAID VACATED ALLEY FOR UTILITY PURPOSES, INCLUDING THE RIGHT OF INGRESS AND EGRESS AT ALL TIMES FOR PUBLIC OR PRIVATE UTILITY AGENTS AND EMPLOYEES TO USE THE VACATED STREET, OR SO MUCH OF IT AS MAY BE NECESSARY, FOR THE INSTALLATION, MAINTENANCE, REPAIR, OR REMOVAL OF

UTILITIES,

BE IT FINALLY RESOLVED, WITHIN 30 DAYS HEREAFTER, THE CITY CLERK SHALL FORWARD CERTIFIED COPIES OF THIS RESOLUTION TO THE INGHAM COUNTY REGISTER OF DEEDS FOR RECORDING, AND UPON RETURN, A COPY OF THE RECORDED RESOLUTION TO THE MICHIGAN DEPARTMENT OF COMMERCE AND TO THE LANSING PLANNING OFFICE, WHO SHALL FORWARD COPIES TO THE PETITIONERS.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #147**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, JAMES AND MARY KNIGHTWRIGHT FILED A CLAIM AGAINST THE CITY IN AN APPROXIMATE AMOUNT OF \$164.00 FOR REIMBURSEMENT OF THE INSPECTION AND REGISTRATION FEES REGARDING PROPERTY AT 220 CUSTER AVENUE, LANSING, MICHIGAN;

WHEREAS, IT APPEARS THAT THE ORIGINAL INTENT OF THE KNIGHTWRIGHT'S WAS TO RENT THE PROPERTY LOCATED AT 220 CUSTER AVENUE, LANSING, MICHIGAN;

WHEREAS, IT WAS UNKNOWN WHETHER AN INSPECTION OF THE HOUSE, LOCATED AT 220 CUSTER AVENUE, LANSING, MICHIGAN, WAS CONDUCTED AS REQUESTED BY THE CLAIMANTS;

WHEREAS, THE CITY ATTORNEY'S STAFF RECOMMENDATION WAS TO DENY THE CLAIM;

WHEREAS, THE CLAIMS REVIEW COMMITTEE OFFERED TO SETTLE THIS CLAIM IN THE AMOUNT OF SIXTY FOUR (\$64.00) DOLLARS;

WHEREAS, THE CLAIM WAS APPEALED TO THE GENERAL SERVICES COMMITTEE. THE STAFF RECOMMENDATION WAS REVIEWED BY THE COMMITTEE ON GENERAL SERVICES;

WHEREAS, THE COMMITTEE DETERMINED THAT THE PROCEDURAL ACTIONS DICTATED BY THE LANSING HOUSING CODE WERE TAKEN AND DOCUMENTED BY THE BUILDING SAFETY DIVISION THE CITY HAS NO LEGAL OBLIGATION TO REIMBURSE THE CLAIMANT'S FOR ANY OF THE ITEMS NOTED IN THE CLAIM;

WHEREAS, THE COMMITTEE RECOMMENDS THAT THE CLAIM BE GRANTED IN THE AMOUNT OF SIXTY FOUR (\$64.00) DOLLARS BY A 2-0 VOTE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO GRANT THE CLAIM OF JAMES AND MARY

KNIGHTWRIGHT IN THE AMOUNT OF SIXTY FOUR (\$64.00) DOLLARS; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS REQUESTED TO NOTIFY THE CITY ATTORNEY'S OFFICE. UPON NOTIFICATION FROM THE CLERK, THE CITY ATTORNEY'S OFFICE WILL PREPARE A RELEASE FOR THE KNIGHTWRIGHT'S EXECUTION AND UPON RECEIPT OF SAID EXECUTED RELEASE WILL REMOVE SIXTY FOUR (\$64.00) DOLLARS FROM THE TAX ROLL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

ITEM VIII B-4b, RESOLUTION APPROVING AN APPROPRIATION OF COMMUNITY USE FUNDS FOR THE OLD TIMER'S BASEBALL ASSOCIATION, WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER BENAVIDES

**RESOLUTION #148**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING, COMPUTER AND COMMUNICATION SERVICES OFFICE HAS ACCUMULATED OBSOLETE PC COMPUTER EQUIPMENT AS THE RESULT OF THE REPLACEMENT OF OUTDATED EQUIPMENT; AND

WHEREAS, CITY STAFF HAVE DISCUSSED THIS MATTER WITH THE CAPITAL AREA UNITED WAY AND THEY ARE WILLING TO ACCEPT OBSOLETE PC COMPUTER EQUIPMENT FOR THEIR PC RECYCLING PROGRAM; AND

WHEREAS, THE CITY IN THE FUTURE WOULD LIKE TO CONTINUE TO DONATE OBSOLETE PC COMPUTER EQUIPMENT TO BOTH LANSING SCHOOL DISTRICT AND THE CAPITAL AREA UNITED WAY PC RECYCLE PROGRAM WHEN OBSOLETE PC COMPUTER EQUIPMENT IS REMOVED FROM SERVICE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY ADOPTS A THE ABOVE POLICY REGARDING OBSOLETE PC EQUIPMENT, AUTHORIZING THE ADMINISTRATION TO DONATE OBSOLETE PC COMPUTER EQUIPMENT TO VARIOUS NON-PROFIT ORGANIZATIONS.

BY COUNCILMEMBER BENAVIDES

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER NOVAK AS FOLLOWS:

"TO AMEND THE RESOLUTION BEGINNING WITH THE THIRD "WHEREAS" PARAGRAPH TO READ;

"WHEREAS, THE CITY IN THE FUTURE WOULD LIKE TO CONTINUE TO DONATE OBSOLETE PC COMPUTER EQUIPMENT TO BOTH THE LANSING SCHOOL DISTRICT AND THE CAPITAL AREA UNITED WAY PC RECYCLE PROGRAM WHEN OBSOLETE PC COMPUTER EQUIPMENT IS REMOVED FROM SERVICE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY ADOPTS A POLICY AUTHORIZING THE ADMINISTRATION TO DONATE OBSOLETE PC COMPUTER EQUIPMENT TO VARIOUS NON-PROFIT ORGANIZATIONS."

AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

**RESOLUTION #149**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER LICENSE: CAPITOL CITY LAWN  
CARE, INC. 611  
GALE ROAD

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #150**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER LICENSE: BFI  
100 EAST NORTH  
STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #151**

BY GENERAL SERVICES COMMITTEE

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER LICENSE: ALLIED DISPOSAL CO.,  
INC. 5293 CLISE  
ROAD BATH, MI

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #152**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER LICENSE: SPARTAN SERVICES,  
INC. 1048 PIERPONT,  
ST. 2

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF

LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-17-96; WEST SIDE OF THE 1300 BLOCK OF TURNER ST., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-17-96; WEST SIDE OF THE 1300 BLOCK OF TURNER ST., SOUTH SIDE, BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

BY COUNCILMEMBER LILLY

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

**ORDINANCE #2408**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-17-96, 1301 BLOCK  
TURNER STREET

PARCEL NUMBER: 3301-09-254-001

LEGAL DESCRIPTION: LOT 1, BLOCK 11, ORIGINAL

PLAT AND LOTS 10, 11, 12  
& 13, BLOCK 10, ORIGINAL  
PLAT, AND VACATED STREETS  
AND ALLEYS THEREIN, BLOCK  
10, ORIGINAL PLAT, CITY OF  
LANSING, INGHAM COUNTY,  
MICHIGAN

FROM "H" LIGHT INDUSTRIAL DISTRICT TO "DM-3"  
RESIDENTIAL DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF  
ORDINANCES INCONSISTENT WITH THE PROVISIONS  
HEREOF ARE HEREBY REPEATED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT  
THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN  
IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF  
COUNCILMEMBER LILLY

MARILYNN SLADE, CITY CLERK

### OTHER BUSINESS

#### ► PUBLIC COMMENT (THREE MINUTE TIME LIMIT)

WILLIAM HUBBELL REMINDED EVERYONE THAT THE  
LUGNUTS OPENING GAME WILL BE HELD ON APRIL 8,  
1997. HE WILL BE WORKING AT THE STADIUM AGAIN  
THIS SEASON AND ASKS THAT COUNCIL DO SOMETHING  
TO HELP STADIUM EMPLOYEES, WHO ARE STILL HAVING  
PARKING PROBLEMS. HE COMMENTED THAT THE  
PRIGGOORIS PROPERTY IS NOT LOCATED IN THE CITY,  
AND THAT THE CITY NO LONGER OWNS IT.

MELANIE ROGERS OF 409 W. WILLOW SAID THAT SHE  
WORKS FOR LANSING COMMUNITY COLLEGE AND IS A  
TEAM LEADER FOR PC BASED PROGRAMMING. SHE  
STATED THAT THERE NEEDS TO BE MORE  
ACCOUNTABILITY, RESPECT, AND RESPONSIBILITY  
DEMONSTRATED BY CODE COMPLIANCE OFFICERS,  
POLICE OFFICERS AND MAYOR'S STAFFMEMBERS. THEY  
MUST BE ACCOUNTABLE TO SOMEONE FOR THEIR  
ACTIONS.

LLOYD TEETS OF 116 E. ELM SPOKE IN OPPOSITION  
TO THE DEVELOPMENT OF A PARKING RAMP ON THE B-1  
SITE. HE SUGGESTED THAT THE CITY PURCHASE A 5-  
10 ACRE SITE SOMEWHERE INSIDE CITY LIMITS TO  
RELOCATE ADULT ENTERTAINMENT BUSINESSES ONTO.

AMMAHAD SHEEKARAKKI OF 906 W. WILLOW SPOKE  
REGARDING TERMINOLOGY USED DURING THE CITY  
COUNCIL MEETING LAST WEEK. HE STATED HIS  
OPPOSITION TO THE LOCATION CHOSEN FOR THE FIRST  
ANNUAL POLICE AND COMMUNITY RELATIONS  
CONFERENCE, BECAUSE IT IS NOT LARGE ENOUGH TO  
HANDLE A CROWD OF THE SIZE THEY EXPECT. HE  
ACCUSED THE ADMINISTRATION OF USING THIS ISSUE AS  
A PLOY TO CAUSE THEM TO FIGHT AMONG THEMSELVES.

DARNELL OLDHAM OF 3815 BERWICK ACCUSED  
MAYOR HOLLISTER OF TRYING TO KEEP THE COMMUNITY  
DIVIDED AND OF PITTING RESIDENTS AGAINST INDUSTRY  
WITH THE RAIN TAX ISSUE. HE STATED THAT THE MAYOR  
HAS ATTEMPTED TO PIT THE BLACK COMMUNITY AGAINST  
THE WHITE COMMUNITY WITH HIS HANDLING OF THE  
RECOMMENDATIONS OF THE MARCH FOR JUSTICE. HE  
SAID THAT THE DEPUTY CHIEF OF POLICE POSITION THE  
MAYOR HAS RECOMMENDED IN HIS PROPOSED BUDGET  
IS NOTHING BUT ANOTHER PR POSITION FOR HIM. HE  
CRITICIZED THE MAYOR'S RECOMMENDATIONS FOR AN  
INVESTIGATIVE POSITION IN THE HUMAN RELATIONS  
DEPARTMENT. HE URGED CITIZENS TO SUPPORT THE  
CONCEPT OF A CITIZENS REVIEW BOARD, BECAUSE  
POLICE OFFICERS MUST BE HELD ACCOUNTABLE. THEY  
CAN NO LONGER REMAIN UNCHECKED.

HAROLD KING OF 1563 N. HIGH REPORTED AN  
INCIDENT OF A CITIZENS BEING INJURED BY STEPPING  
INTO A POT HOLE IN NORTHTOWN. HE DISTRIBUTED  
PICTURES OF UNACCEPTABLE ART THAT IS BEING  
DISPLAYED TO THE PUBLIC AT LARGE IN NORTHTOWN,  
AND ASKED FOR COUNCIL'S HELP IN RESTRICTING WHAT  
IS PLACED OUT WHERE ANYONE CAN SEE IT.

RITA BUNTON OF 3311 BRISBANE DR. CRITICIZED  
MAYOR HOLLISTER FOR IGNORING THE  
RECOMMENDATION FROM THE MARCH FOR JUSTICE THAT  
THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS  
CONFERENCE BE HELD IN THE FALL. SHE STATED THAT  
THIS RECOMMENDATION CAME FROM ALL OF THE  
MEMBERS OF THE MARCH, NOT JUST FROM REVEREND  
STONE.

RAY BROWN OF 3311 BRISBANE ASKED ALL YOUNG  
MEN AND WOMEN TO ATTEND THE NEXT MARCH FOR  
JUSTICE TO BE HELD ON SATURDAY, APRIL 26,  
1997. IT WILL BEGIN AT SEXTON HIGH SCHOOL AT  
9:30 A.M.

REVEREND LESTER STONE, PASTOR OF FRIENDSHIP  
BAPTIST CHURCH CRITICIZED PRESIDENT BEALS'  
CAUTION ABOUT THE DONATION OF SPEAKING TIME,  
CALLING HER 'UNJUST AND UNFAIR'. THE CRISIS THAT  
PREVIOUSLY EXISTED IN THE POLICE DEPARTMENT HAS  
SPREAD THROUGHOUT THE MAYOR'S OFFICE AND CITY  
COUNCIL AND IS SPREADING THOUGH THIS SO CALLED  
"FIRST CLASS CITY". HE REPEATED HIS DEMANDS FOR  
A CITIZENS REVIEW BOARD, SAYING THAT THE BOARD  
OF POLICE COMMISSIONERS CANNOT EFFECTIVELY  
PROTECT THE CITIZENS OF LANSING. HE STATED HIS  
INTENT TO BRING 100 PEOPLE TO THE CITY COUNCIL  
MEETING OF APRIL 28, 1997 THE MONDAY  
FOLLOWING THE SECOND MARCH FOR JUSTICE. HE  
INVITED ALL PEOPLE, BOTH WHITE AND OF COLOR WHO  
HAVE BEEN MISTREATED BY THE LANSING POLICE  
DEPARTMENT TO JOIN THEIR MARCH AND TO ATTEND THE  
COUNCIL MEETING THE FOLLOWING MONDAY.

ALBERTA JORDAN, NO ADDRESS GIVEN, CRITICIZED  
PRESIDENT BEAL, SAYING THAT SHE IS NOT THE "MARCH  
FOR JUSTICE MAMA."

HELEN FISER OF 12100 S. CORK RD. IN MORRICE

COMMENTED ON THE USE OF THE WORD "RHETORIC" BY BOTH COUNCILMEMBERS AND THE CHAMBER OF COMMERCE. SHE STATED THAT SHE HAS EXPERIENCED A GREAT DEAL OF DIFFICULTY IN DEALING WITH LEGAL MINDS ON THE CSO PROJECT. THE INTENT OF THE STORMWATER ENTERPRISE FUND ORDINANCE IS VERY CLEAR. IT IS INTENDED AS A FUNDING MECHANISM ONLY.

MICHAEL JOHN SIMON OF 310 SEYMOUR SPOKE REGARDING THE NEED FOR JUSTICE FOR ALL PEOPLE, NOT ONLY IN LANSING, BUT THROUGHOUT THE UNITED STATES AND THE WORLD.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #153 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-17-96, WEST SIDE OF THE 1300 BLOCK OF TURNER STREET,

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED, AND THAT THE Z-17-96 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

## CITY OFFICERS & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

WASTE HAULER: TRUGREEN-CHEMLAWN  
WASTE MANAGEMENT OF MICHIGAN-  
MIDWEST

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. AFFIDAVITS OF DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST, OR APPEARANCE OF CONFLICT OF INTEREST FILED BY JULIE K. GARDNER OF THE PLANNING AND NEIGHBORHOOD DEVELOPMENT OFFICE

REFERRED TO THE CITY ATTORNEY AND THE ETHICS BOARD

4. LETTER FROM THE CITY ATTORNEYS OFFICE REGARDING THE CLAIM OF LOUIS M. EISBRENNER

RECEIVED AND PLACED ON FILE

5. AUDIT REPORT AND FINANCIAL STATEMENTS FOR FY ENDED DECEMBER 31, 1996 FILED BY THE MID-MICHIGAN WATER AUTHORITY

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE INTERNAL AUDITOR

6. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: PARKS & RECREATION, PUBLIC SERVICE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. TRASH VIOLATION FEE (V-34 MEMO #5) - \$1,641.06

RECEIVED AND PLACED ON FILE

C. Z-01-97; 621 AND 623 E. MICHIGAN AVE., PETITION FOR REZONING FROM "H" LIGHT INDUSTRIAL TO "G-1" BUSINESS DISTRICTS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

D. Z-02-97; 519 N. CHESTNUT, PETITION FOR REZONING FROM "C" RESIDENTIAL AND "DM-4" RESIDENTIAL TO "D-1" PROFESSIONAL OFFICE DISTRICTS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

E. NOTICE OF RECOGNITION FROM THE LIBRARY OF MICHIGAN FOR THE CAPITAL AREA DISTRICT LIBRARY

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

F. AMENDMENT TO THE BASEBALL STADIUM LEGAL DESCRIPTION

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

G. PUBLIC IMPROVEMENT II ON MT. HOPE AVE.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. PUBLIC IMPROVEMENT II ON MEL AVE., WIELAND ST., DAVID ST., DORIS ST. AND SCHAFER RD.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

## I. TRANSFER OF FUNDS; LPD CADET PROGRAM

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

J. REQUEST FROM CAPITAL CITY RIVERFEST REQUESTING AN APPROPRIATION OF FUNDS FOR THIS YEARS RIVERFEST EVENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7. SUBMITTED BY COUNCILMEMBER NOVAK; A RESOLUTION PLACING A CHARTER AMENDMENT THAT WOULD REDUCE THE NUMBER OF REQUIRED CITY COUNCIL MEETINGS FROM 50 TO 26 ON THE AUGUST 5, 1997 CITY OF LANSING PRIMARY ELECTION BALLOT

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM JAMES PANETTA OF 707 SEYMOUR AVE. REGARDING THE INGHAM COUNTY ANIMAL CONTROL ORDINANCE

REFERRED TO THE CITY ATTORNEY

2. LETTER FROM ANN & MARK FERRIN OF 5936 HUGHES RD. REQUESTING REMOVAL OF A TREE WHOSE ROOTS HAVE INVADDED THEIR SEWER SYSTEM

REFERRED TO THE MAYOR AND THE PARKS BOARD

3. LETTER FROM ED BROWN OF HABITAT FOR HUMANITY IN SUPPORT OF CONTINUED FUNDING OF THE LANSING NEIGHBORHOOD COUNCIL

REFERRED TO THE COMMITTEE OF THE WHOLE (BUDGET HEARINGS)

4. LETTER FROM THE OLD TOWN MAINSTREET INITIATIVE IN SUPPORT OF THE CITY'S PURCHASE OF THE CLASSIC CAT PROPERTY LOCATED AT 216 E. GRAND RIVER

RECEIVED AND PLACED ON FILE

5. LETTER FROM CONTINENTAL CABLEVISION SUBMITTING NOTICE OF RATE CHANGES FOR EQUIPMENT AND INSTALLATION EFFECTIVE MAY 1, 1997

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

6. LETTER FROM DARRYL BURGESS OF 1407 PROSPECT REGARDING AMENDMENT #2 TO THE

## CONTRACT FOR SALE OF CIVIC ARENA

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING AND THE CITY ATTORNEY

7. 12 POSTCARDS AND NOTES REQUESTING REPEAL OF THE STORMWATER ENTERPRISE ORDINANCE  
REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8. LETTER FROM STEPHEN AND JULIE BEAL OF 2205 LYONS AVE. REQUESTING INSTALLATION OF A STOP SIGN ON LYONS AVE.

REFERRED TO THE MAYOR THE TRAFFIC BOARD AND THE COMMITTEE ON PUBLIC SAFETY

9. LETTER FROM BARBARA LUOMA OF JERRY'S AUTOMOTIVE AT 5544 S. M.L. KING BLVD. CONTINUING HER OPPOSITION TO THE PROPOSED SILVERSTONE LDHA PROJECT AND PILOT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON DEVELOPMENT AND PLANNING

10. LETTER FROM THOMAS STANTON OF 701 MCKIM AVE. IN SUPPORT OF THE STORMWATER ENTERPRISE FUND AND SUGGESTING WAYS OF IMPROVING THE CURRENT SYSTEM

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS

11. REQUEST FOR RECOGNITION OF NON-PROFIT STATUS FROM THE WALNUT NEIGHBORHOOD ORGANIZATION

REFERRED TO THE CITY ATTORNEY

**COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BAUER CONGRATULATED MR. AND MRS. KARN ON THEIR ANNIVERSARY.

COUNCILMEMBER NOVAK SAID THAT HE HAS INQUIRED OF THE STATE OF MICHIGAN IF THEY RECEIVED A COPY OF THE RESOLUTION OF LOCAL GOVERNMENT OPPOSITION TO THE TRANSFER OF AN SDD LIQUOR LICENSE FOR RITE AID THAT WAS PASSED BY COUNCIL ON FEBRUARY 10, 1997, AND WAS TOLD THAT THEY HAD NOT. HE REQUESTED THAT THE CITY CLERK AND THE CITY ATTORNEY LOOK INTO THIS MATTER. HE COMMENTED REGARDING THE SALARY RECOMMENDATIONS MADE BY THE ELECTED OFFICERS COMPENSATION COMMISSION. HE OUTLINED THE PROVISIONS OF THE LATE ITEM RESOLUTION HE SUBMITTED AND HAD REFERRED TO THE GENERAL SERVICES COMMITTEE TONIGHT. THIS IS A PROPOSAL TO AMEND THE CHARTER TO REDUCE THE NUMBER OF MANDATORY CITY COUNCIL MEETINGS REQUIRED BY THE CHARTER. HE SPOKE IN SUPPORT OF PRESIDENT BEAL'S ADMONITION TO PUBLIC SPEAKERS REGARDING THE DONATION OF SPEAKING TIME. NO OTHER



PRESIDENT HAS EVER ALLOWED THE DONATION OF SPEAKING TIME FROM ONE AUDIENCE MEMBER TO ANOTHER. SINCE PRESIDENT BEAL BEGAN THE PRACTICE OF ALLOWING DONATIONS OF TIME, THE ONLY RECIPIENTS THAT HE KNOWS OF HAVE BEEN REVEREND STONE AND ALEXANDER BOLT. AND, FOR THE ACT OF BEING MORE LIBERAL WITH PUBLIC COMMENT, PRESIDENT BEAL IS CRITICIZED WHEN SHE ADMONISHES THE AUDIENCE NOT TO ABUSE THE PRIVILEGE.

COUNCILMEMBER LEEMAN THANKED THE NEIGHBORHOOD ACTIVISTS THAT PUT TOGETHER THE NEIGHBORHOOD RECEPTION LAST TUESDAY, MARCH 25.

COUNCILMEMBER ALLEN THANKED DOLORES MAIDLOW-KRAMER OF THE FOREST VIEW NEIGHBORHOOD ASSOCIATION FOR HER SUPPORT OF COMMUNITY PROJECTS.

COUNCILMEMBER BEAL ASKED CITY ATTORNEY SMIERTKA TO REVIEW THE RULES WITH REGARD TO THE YIELDING OF SPEAKING TIME FROM ONE PERSON TO ANOTHER.

MR. SMIERTKA EXPLAINED THAT THERE IS NO PROVISION THAT ALLOWS FOR ONE PERSON TO TURN OVER THEIR SPEAKING TIME TO ANOTHER. CONTRARY TO THIS PRACTICE, THE RULES SPECIFICALLY STATE THAT EACH PERSON MUST BE LIMITED TO A CERTAIN PERIOD OF SPEAKING TIME, BUT THAT THAT TIME LIMIT MAY BE WAIVED AT THE DIRECTION OF THE PRESIDENT.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER RESPONDED TO THE STATEMENT BY MR. BUCHNER THAT HE DID NOT RECEIVE PROPER NOTIFICATION ABOUT THE DMS PROCEEDINGS, SAYING THAT MR. BUCHNER WAS NOTIFIED OF BOTH OF THE HEARINGS THAT HAVE BEEN HELD TO DATE, AND HE HAS SIGNED NOTIFICATION TO OFFER AS PROOF OF PROPER NOTIFICATIONS TO MR. BUCHNER.

HE SPOKE IN SUPPORT OF THE RESCHEDULED DATE OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE. MR. WALKER RECOMMENDED THE MAY 31, 1997 DATE AFTER CONSULTING WITH BOARD MEMBERS.

COUNCILMEMBER ALLEN EXPRESSED HER CONCERN THAT THEY HAVE ONLY SCHEDULED THREE PLANNING MEETINGS FOR THE CONFERENCE.

**ADJOURNED 9:30 P.M.**

**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS APRIL 1, 1997  
SPECIAL MEETING**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
4:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

BY COUNCILMEMBER LILLY

THAT PRESIDENT BEAL PASS THE GAVEL TO FORMER  
PRESIDENT HOWARD JONES FOR THE PURPOSES OF  
CONDUCTING THIS MEETING

CARRIED UNANIMOUSLY

COUNCILMEMBER JONES STATED THAT THE  
PURPOSE OF THIS SPECIAL MEETING, AS SET  
FORTH IN THE AGENDA, IS TO CONSIDER THE  
DISMISSAL OF THE COUNCIL PRINCIPAL  
LEGISLATIVE ASSISTANT. HE ASKED ASSISTANT  
CITY ATTORNEY HALL TO REVIEW ACTIONS TAKEN IN  
THIS MATTER TO DATE.

MR. HALL STATED THAT HE NOTIFIED MR. ONUFER THAT  
THIS MEETING COULD BE CONDUCTED IN CLOSED  
SESSION, UPON HIS REQUEST. AT THIS TIME THEY  
HAVE RECEIVED NO SUCH REQUEST FROM MR.  
ONUFER, NOR FROM HIS ATTORNEY. MR. HALL AGAIN  
QUESTIONED THE INVOLVED PARTIES AS TO THEIR  
WISHES RELATIVE TO CLOSING THE MEETING.

MARK CANADY, ATTORNEY ON BEHALF OF MR. ONUFER,  
STATED THAT IT IS THEIR PREFERENCE THAT THE  
MEETING BE HELD IN OPEN SESSION.

MR. HALL STATED THAT MR. ONUFER HAS ASSERTED  
THAT HE HAS A SIGNED, EXECUTED CONTRACT OF  
EMPLOYMENT WITH THE CITY COUNCIL, AND ASKED THAT  
A COPY OF THE CONTRACT BE PROVIDED TO THE CITY  
ATTORNEY'S OFFICE.

MR. CANADY DISTRIBUTED COPIES OF AN EMPLOYMENT  
AGREEMENT BETWEEN RONALD J. ONUFER AND THE  
LANSING CITY COUNCIL.

MR. HALL STATED THAT, PRIOR TO THE CONVENING OF  
THIS MEETING, THE CITY ATTORNEYS OFFICE  
CONDUCTED AN EXCHANGE OF DOCUMENTS BETWEEN  
THE CITY COUNCIL, AND MR. CANADY, FURTHER HE  
STATED THAT MR. ONUFER HAS BEEN ALLOWED ACCESS  
TO HIS OFFICE AND COMPUTER FILES FOR THE  
PURPOSE OF RETRIEVAL OF ANY DOCUMENTS THAT

WERE IN HIS POSSESSION THAT HE MAY HAVE NEEDED  
FOR THIS MEETING TODAY. ALL OF THOSE DOCUMENTS  
HAVE NOT BEEN REVIEWED BY THE CITY ATTORNEY'S  
OFFICE FOR THE PURPOSE OF THIS HEARING. ALL OF  
THE DOCUMENTS USED BY THE CITY ATTORNEYS OFFICE  
FOR THE PURPOSE OF THIS HEARING HAVE BEEN  
PROVIDED TO MR. ONUFER AND TO CITY  
COUNCILMEMBERS.

COUNCILMEMBER JONES OUTLINED THE ORDER OF  
PROCEEDINGS FOR TODAY'S MEETING. PRESIDENT  
BEAL AND VICE PRESIDENT LEEMAN WILL HAVE 1/2  
HOUR TO PRESENT THEIR RECOMMENDATIONS AND  
SUPPORTING MATERIALS. MR. CANADY WILL BE GIVEN  
1/2 HOUR TO PRESENT A REBUTTAL ON MR. ONUFER'S  
BEHALF. THE MEMBERS OF THE PUBLIC WILL BE GIVEN  
1/2 HOUR FOR COMMENT, FINALLY, COUNCILMEMBERS  
WILL BE GIVEN 1/2 HOUR FOR DELIBERATION OF THE  
ISSUE WITH ADJOURNMENT FOLLOWING THEIR DECISION.

PRESIDENT BEAL OUTLINED A SETTLEMENT OFFER MADE  
TO MR. ONUFER PRIOR TO TODAY'S MEETING. THAT  
OFFER CONSISTED OF A \$27,000 PAY OUT. MR.  
ONUFER WOULD HAVE RECEIVED 6 MONTHS WORTH OF  
SEVERANCE PAY AND COULD HAVE CHOSEN TO RETIRE  
AT A RETIREMENT PAYMENT APPROXIMATING \$27,000  
PER YEAR WITH A FULL HEALTH PACKAGE. HOWEVER,  
MR. ONUFER AND HIS ATTORNEY DECLINED THIS  
SETTLEMENT OFFER WHICH PRECIPITATED THE  
UNPLEASANT SITUATION THAT WE FIND OURSELVES IN  
NOW. SHE EXPLAINED THAT UPON BECOMING VICE-  
PRESIDENT IN JANUARY OF 1996 SHE APPROACHED  
HER ROLE AS STAFF SUPERVISOR WITH A TEAM-  
BUILDING INITIATIVE. SHE FOUND THAT IT WAS  
IMPERATIVE THAT SENIOR STAFF MEMBERS BE HIGHLY  
MOTIVATED AND WORK TOGETHER AS A UNIT FOR THE  
SATISFACTION OF ALL COUNCILMEMBERS AND THE  
PUBLIC. SHE STATED THAT SHE COUNSELED RON ON  
NUMEROUS OCCASIONS REGARDING THE QUALITY AND  
TIMELINESS OF HIS WORK PRODUCT. SHE TOLD HIM  
EARLY IN HER VICE-PRESIDENCY THAT CERTAIN  
COUNCILMEMBERS WERE PRESSING HER FOR HIS  
TERMINATION. SHE STATED THAT HER DECISION TO  
RECOMMEND MR. ONUFER'S DISMISSAL WAS MADE IN  
CONCERT WITH VICE-PRESIDENT LEEMAN AFTER  
SERIOUS CONSIDERATION.

SHE REVIEWED MR. ONUFER'S RESUME AND  
EXPERIENCE AND ENUMERATED DEFICIENCIES SHE FEELS  
HE HAS DISPLAYED OVER THE LAST SEVERAL YEARS,  
INCLUDING; A POOR WORK ATTITUDE AND  
UNWILLINGNESS TO TAKE RESPONSIBILITY FOR WORK  
DUTIES; FAILURE TO PERFORM ASSIGNED, ONGOING  
TASKS; FAILURE TO MANAGE ASSIGNED PROJECTS;  
INSUBORDINATION AND OPEN DISRESPECT SHOWN TO  
THE COUNCIL VICE-PRESIDENT, WHICH UNDERMINE HIS  
ABILITY TO WORK WITH VICE PRESIDENT LEEMAN  
EFFECTIVELY. SHE ELABORATED ON THESE POINTS,

SAYING THAT MR. ONUFER HAS FREQUENTLY DEMONSTRATED A LACK OF WILLINGNESS TO TAKE ON ADDITIONAL RESPONSIBILITIES IN THE ABSENCE OF OTHER STAFF MEMBERS. HE HAS BEEN UNWILLING TO PERFORM HIS OWN JOB RESPONSIBILITY OF REVIEWING ORDINANCES FOR COUNCILMEMBERS. WHEN ASSIGNED THE TASK OF PREPARING WEEKLY PRESS RELEASES, HE PERFORMED THE ASSIGNMENT ON A SPOTTY, INFREQUENT BASIS. HE DID NOT PERFORM LEGISLATIVE ANALYSIS AS ASSIGNED, INCLUDING AN ANALOGY OF THE STORMWATER ISSUE THAT WAS REQUESTED OF HIM LAST SPRING. HE HAS NOT PERFORMED ANALYSES OF PUBLIC HEARINGS AS ASSIGNED, SUCH AS ON THE STORMWATER ISSUE, THE ABANDONED/DISABLED MOTOR VEHICLES ORDINANCE, OR THE ELECTED OFFICERS COMPENSATION COMMISSION ORDINANCE. HE WAS ASSIGNED TO WORK ON THE ISSUE OF THE RELOCATION OF THE NORTH SIDE POLICE PRECINCT, AND RATHER THAN PERFORM AN ORIGINAL ANALYSIS OF THIS PROPOSAL, HE COPIED INFORMATION FROM THE LPD PLANNING COMMITTEE REPORT. HE PERFORMED NO ANALYSIS OR REVIEW, HE JUST PASSED ON INFORMATION PREPARED BY OTHERS. EFFECTIVELY, HE REFERRED THEM TO OTHERS TO GET INFORMATION. HE PRODUCED A ONE SIDED EDITORIAL ON THE POLICE DEPARTMENT RELOCATION WITH NO CRITICAL ANALYSIS OFFERED. SHE COUNSELED HIM AFTER THIS INCIDENCE, CAUTIONING HIM TO ALLOW COUNCILMEMBERS TO DRAW THEIR OWN CONCLUSIONS AND NOT TO OFFER HIS OPINION IN THESE ANALYSES. IT WAS NECESSARY FOR HER TO RE-WRITE THE REPORT TO GIVE APPROPRIATE INFORMATION TO COUNCILMEMBERS. HE WAS ASKED TO PREPARE A REPORT ON THE SEWER RATE ISSUE, AND THE REPORT HE PREPARED PRESENTED INFORMATION THAT WAS NOT ASKED FOR, BUT NOT INFORMATION THAT WAS ASKED FOR. MR. ONUFER WAS ASSIGNED THE CRITICAL PROJECT OF THE COUNCIL COMPUTER UPGRADE, AND AGAIN, HE REFUSED TO TAKE CHARGE AND PERFORM PROPERLY FOR THE COUNCIL. THIS HAS BEEN AN ONGOING PROJECT SINCE THE FIRST OF LAST YEAR. MR. ONUFER HAS EXTENSIVE EXPERIENCE IN THIS AREA AND WAS ASSIGNED TO UPDATE COUNCIL COMPUTER EQUIPMENT WHICH HAD NOT BEEN UPDATED SINCE THE 1980's. THIS ASSIGNMENT CAME TO HIM IN LATE SUMMER AND HE WAS TO IDENTIFY EQUIPMENT AND TRAINING NEEDS. HE DID NOT ARRANGE FOR TRAINING FOR ONE OF HIS COLLEAGUES, ANOTHER SENIOR STAFF MEMBER, HE FAILED TO PREPARE ADDITIONAL PURCHASE ORDERS REQUESTED FOR EQUIPMENT IN OCTOBER, AND AS A RESULT, HER HUSBAND, PETE, WAS REQUIRED TO ASSIST COUNCIL ON THIS PROJECT. SHE REPORTED SPEAKING TO RON ABOUT HIS FAILURE TO PERFORM ON THIS PROJECT ON JANUARY 2, 1997, AT WHICH TIME SHE ASKED IF THERE WERE A REASON FOR HIM TO HAVE "DROPPED THE BALL". SHE INFORMED HIM THAT HER HUSBAND WAS NOT TO BE USED AS FREE LABOR FOR THE CITY BECAUSE OF A LACK OF PERFORMANCE ON RON'S PART. MANY OF THE PROJECTS ASSIGNED TO MR. ONUFER HAVE STILL NOT BEEN COMPLETED.

COUNCIL VICE-PRESIDENT LEEMAN STATED THAT HE BEGAN HIS TERM AS VICE-PRESIDENT IN JANUARY OF

THIS YEAR, AND BEGAN HIS OVER-SIGHT OF COUNCIL STAFF. HE DESCRIBED AN INCIDENT IN WHICH HE BELIEVES THAT MR. ONUFER SHOWED OPEN DISRESPECT TO HIM. HE ASKED MR. ONUFER TO CONSTRUCT A CHANNEL 28 LIBRARY. UPON STATING HIS REQUEST TO MR. ONUFER HE (ONUFER) BEGAN RAISING HIS VOICE AND OBJECTING TO THE PROJECT. HE MADE ALL OF THE REMAINING STAFF MEMBERS VERY UNCOMFORTABLE AND MOCKED VICE-PRESIDENT LEEMAN REGARDING HIS VOCABULARY. THIS INCIDENT UPSET EVERYONE. IT WAS HARD TO ACCEPT THAT A SENIOR STAFFER WOULD CREATE SUCH HAVOC BECAUSE OF A REQUEST FOR THE FORMATION OF A CHANNEL 28 LIBRARY. MR. ONUFER DID NOT APOLOGIZE FOR THE INCIDENT. ADDITIONALLY, COUNCILMEMBER LEEMAN RELATED AN INCIDENT IN WHICH MR. ONUFER FAILED TO GIVE HIM NOTICE THAT HE WOULD NOT BE PRESENT AT WORK BECAUSE OF A CONFERENCE IN ANN ARBOR. THIS ABSENCE WAS NOT DISCUSSED WITH THE VICE-PRESIDENT, IN FACT, HE HAD NO KNOWLEDGE OF MR. ONUFER'S PLANS UNTIL AFTER HE HAD ALREADY LEFT TOWN. WHEN HE QUESTIONED MR. ONUFER REGARDING HIS ABSENCE, HE WAS TOLD THAT IT WAS NONE OF HIS BUSINESS, BECAUSE MR. ONUFER UTILIZED COMPENSATORY TIME FOR HIS ABSENCE. HE MADE REQUESTS FOR PROJECT UPDATES FROM MR. ONUFER, BUT THEY WERE IGNORED. HE REQUESTED UPDATES ON THE PROGRESS OF THE COUNCIL WEB PAGE THAT WERE IGNORED, REQUESTS FOR WEEKLY PROGRESS REPORTS WERE IGNORED, REQUESTS FOR FILING OF THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD MINUTES WERE IGNORED. THE FAILURE TO FILE CABLE ADVISORY BOARD MINUTES CREATED A CRITICAL SITUATION ON MARCH 31, 1997 WHEN HE WAS FORCED TO DEAL WITH A CABLE RELATED ISSUE AND THERE WERE NO MINUTES TO REFER TO DUE TO MR. ONUFER'S FAILURE TO FILE THEM. HE MADE A REQUEST FOR UPDATED MATERIAL FOR COUNCILMEMBERS IN JANUARY OF 1997. THIS MATERIAL WAS DUE ON FEBRUARY 14, 1997 AND WAS NOT PROVIDED. HE STATED THAT HE HAS LOST CONFIDENCE IN MR. ONUFER'S PERFORMANCE OF HIS JOB RESPONSIBILITIES.

PRESIDENT BEAL SUMMARIZED; SHE HAS WORKED HARD TO MAKE MR. ONUFER A PART OF A SUCCESSFUL STAFF TEAM. SHE LIKES HIM PERSONALLY, HOWEVER, HE HAS REFUSED TO PERFORM LEGISLATIVE ANALYSES AND COUNCILMEMBERS FEEL THAT THEY CAN NO LONGER HAVE CONFIDENCE IN A SENIOR STAFF EMPLOYEE. THEY NO LONGER FEEL COMFORTABLE GIVING HIM ASSIGNMENTS BECAUSE OF HIS POOR TRACK RECORD AND POOR RESULTS IN COMPLETING TASKS. THEREFORE, THEY MUST ASSIGN MORE AND MORE TO OTHER STAFF MEMBERS.

COUNCILMEMBER JONES INTRODUCED PRINCIPAL LEGISLATIVE ASSISTANT RON ONUFER, AND ASKED FOR HIS REBUTTAL.

RON ONUFER STATED THAT ANYONE WITH EXPERIENCE IN SUPERVISING STAFF MEMBERS KNOWS THAT THERE IS A VAST DIFFERENCE IN TERMINATING INCOMPETENT EMPLOYEES AND SAYING 'FARE THEE WELL' TO

SOMEONE WHO HAS SERVED YOU FAITHFULLY AND LOYALLY FOR NEARLY 20 YEARS. HE AND HIS ATTORNEY WILL ANSWER THE CHARGES MADE AGAINST HIM BY PRESIDENT BEAL AND VICE PRESIDENT LEEMAN AND HE IS CONFIDENT THAT THESE MATTERS WILL BE ADDRESSED TO THE SATISFACTION OF ALL COUNCILMEMBERS. DOCUMENTARY EVIDENCE WILL SUBSTANTIATE AND PROVE THAT HE IS TELLING THE TRUTH. HE STATED THAT 1996 WAS A DIFFICULT AND UNUSUAL YEAR FOR HIM, BEGINNING WITH THE DEATH OF HIS MOTHER, FOLLOWED BY A SERIES OF NEW ASSIGNMENTS THAT HE WAS EXPECTED TO COMPLETE, IN ADDITION TO HIS REGULAR ASSIGNMENTS WHICH ALLOW COUNCIL TO PERFORM THEIR LEGISLATIVE FUNCTION. ALL PRECEDING COUNCILS HAVE BEEN SATISFIED WITH THE LEGISLATIVE WORK HE HAS PERFORMED DURING HIS 18 YEAR TENURE. HE HAS ALWAYS TRIED TO PERFORM HIS JOB EFFICIENTLY, AND TO NOT PESTER COUNCILMEMBERS UNNECESSARILY OR COMPLAIN A LOT. HE COMPLETED HIS ASSIGNMENTS AS QUICKLY AND EXPEDITIOUSLY AS POSSIBLE. HE SERVES AS STAFF ON ALMOST ALL OF THE COUNCIL STANDING COMMITTEES, IN ORDER TO PRODUCE A WORK PRODUCT. IN 1996 HE WAS ASKED TO STAFF THE WAYS AND MEANS COMMITTEE, BECAUSE COUNCILMEMBERS WERE DISSATISFIED WITH THE WORK PRODUCT COMING OUT OF THAT COMMITTEE FROM MR. KOESSEL. ADDITIONALLY HE WAS ASSIGNED THE TASK OF COORDINATING THE STUDENT GOVERNMENT DAY PROJECT FOR ALL OF THE LOCAL SENIOR HIGH SCHOOLS. THIS WAS ALL BEING DONE AT THE SAME TIME THAT HE WAS ASSIGNED THE COMPUTER PROJECT. THE COMPUTER PROJECT WAS GIVEN TOP PRIORITY BY COUNCILMEMBER BEAL. HE TRIED TO ACCOMMODATE ALL OF COUNCILMEMBER BEAL'S ASSIGNMENTS AND TO COMMUNICATE WITH HER ON A NUMBER OF OCCASIONS WHEN THINGS WERE GOING TO HAVE TO SLIDE TO OBTAIN HER APPROVAL. THE ONLY TIME THAT COUNCILMEMBER BEAL INDICATED TO HIM THAT THERE WAS A PROBLEM WAS WHEN SHE TOLD HIM THAT SHE HAD RECEIVED A MEMO FROM COUNCILMEMBER JONES SUGGESTING HIS TERMINATION. SHE INDICATED TO HIM AT THAT TIME THAT SHE HAD TAKEN CARE OF THE SITUATION. WITH REGARD TO THE COMPUTER UPGRADE, HE DISCUSSED WITH COUNCILMEMBER BEAL THE PROBLEMS CREATED WHEN PEOPLE WERE ALLOWED TO MAKE 'END-RUNS' AROUND HIM BY GOING THROUGH HER HUSBAND. HE STATED THAT IT IS HIS OPINION THAT HE IS BEING RECOMMENDED FOR TERMINATION BECAUSE COUNCILMEMBER BEAL DID NOT LIKE THE RESULTS OF THE WORK THAT SHE ASSIGNED TO HIM. NOT THAT HE DID NOT COMPLETE HIS ASSIGNMENTS, BUT BECAUSE SHE DISAGREED WITH THE OUTCOME OF THE ANALYSES HE PERFORMED.

MARK CANADY, ATTORNEY ON BEHALF OF RON ONUFER, POINTED OUT THAT THERE IS NOT A LOT OF WRITTEN COMMUNICATION REGARDING THE ALLEGATIONS MADE ABOUT HIS CLIENT. AN EXAMINATION OF MR. ONUFER'S PERSONNEL FILE DEMONSTRATES THAT NOT ONE OF THESE ALLEGATIONS APPEARS IN HIS FILE. IN FACT, THE MOST RECENT EMPLOYEE EVALUATION OF MR. ONUFER'S WORK ETHICS WAS PERFORMED BY COUNCILMEMBER LILLY DURING HIS TENURE AS VICE-

PRESIDENT. MR. LILLY GAVE HIS CLIENT AN 84.8 APPROVAL RATING. IN FACT, ALL OF MR. ONUFER'S EVALUATIONS FALL IN THE 85 TO 100 PERCENTILE RANGE. THE WORST MR. ONUFER EVER SCORED WAS A B+. THIS EMPLOYEE SHOULD BE PROMOTED, NOT TERMINATED. ONE OF THE PROBLEMS WITH THESE PROCEEDINGS IS THE LACK OF WRITTEN DIRECTION THAT COUNCIL IS PROVIDING WITH RESPECT TO THE STAFF. THE NEGATIVE LEADERSHIP AND MANAGEMENT AT THE COUNCIL LEVEL ARE A CONSPIRACY TO 'GET' HIS CLIENT. IT IS NOT FAIR, NOR RIGHT TO TREAT SOMEONE WHO HAS SERVED YOU FOR 20 YEARS IN THIS WAY. THE FACTUAL BACKGROUND IS THAT THIS DISPUTE ARISES FROM A MEETING BETWEEN MR. ONUFER, PRESIDENT BEAL AND VICE-PRESIDENT LEEMAN. THERE IS NOTHING IN WRITING TO SUBSTANTIATE ANY OF THEIR ASSERTIONS. MR. ONUFER WAS ADVISED THAT THEY WOULD RECOMMEND TERMINATION TO THE COUNCIL, AND HE WAS OFFERED A SEVERANCE PACKAGE, HOWEVER NOTHING ON THE SEVERANCE PACKAGE WAS DOCUMENTED IN WRITING. THE MANNER IN WHICH THIS ISSUE HAS BEEN CONVEYED IS A MODEL OF INEFFECTIVE COMMUNICATION BETWEEN COUNCIL AND THEIR STAFF MEMBERS. MR. ONUFER'S EMPLOYMENT HISTORY IS EXEMPLARY. HE BEGAN HIS EMPLOY WITH THE CITY IN 1977 AND THROUGHOUT HIS ENTIRE TENURE, HIS EVALUATIONS HAVE BEEN EXEMPLARY. COUNCILMEMBERS BEAL AND LEEMAN HAVE ALLEGED THAT HE FAILED TO COMPLETE TASKS WHEN ASSIGNED THEM. THERE IS NO DOCUMENTARY EVIDENCE OF THIS. HE POINTED TO A MEMO FROM COUNCILMEMBER BEAL THAT OUTLINES A PRIORITIZATION POLICY FOR STAFF MEMBERS. THIS MEMO ESTABLISHES A FIFTH (5TH) PLACE PRIORITY FOR INDIVIDUAL COUNCILMEMBER REQUESTS AND ASSIGNMENTS. THIS IS WHAT IS BEING DISCUSSED HERE TODAY. WITH REGARD TO THE CHARGE THAT HIS CLIENT FAILED TO PREPARE WRITTEN PRESS RELEASES ON A WEEKLY BASIS, THERE IS NO WRITTEN ASSIGNMENT ON THIS ISSUE, HOWEVER, HE HAS PRESENTED DOCUMENTARY EVIDENCE THAT HIS CLIENT PREPARED 17 SUCH RELEASES AND THEY ARE ATTACHED IN THE PACKET THAT HE DISTRIBUTED TO EACH COUNCILMEMBER. HE URGED COUNCILMEMBERS TO LOOK AT THESE PRESS RELEASES AND TRY TO UNDERSTAND HOW A PROBLEM AROSE WITH GETTING THEM OUT. THIS SHOULD BE UNDERSTANDABLE, CONSIDERING THAT MR. ONUFER WAS STAFFING MOST OF THE COMMITTEE MEETINGS AND COORDINATING THE PRODUCTION OF WRITTEN PRODUCTS FOR THE CITY COUNCIL MEETING, CO-HOSTING THE TAPING OF THE 'AGENDA PREVIEW' SHOW EVERY FRIDAY AT 2:00, READING COUNCILMEMBER MATERIAL AND HANDLING IT'S DISTRIBUTION TO EACH COUNCILMEMBER. HE ADVISED COUNCILMEMBER BEAL THAT HE WAS BECOMING OVER-LOADED AND WAS DIRECTED BY HER TO MAKE THE COMPUTER ASSIGNMENT A TOP PRIORITY. REALISTICALLY, HE DETERMINED THAT THERE WAS NO TIME FOR HIM TO CONTINUE WRITING THE PRESS RELEASES. ADDITIONALLY, NO ONE FROM THE PRESS, OR THE PUBLIC, OR THE COUNCIL EVER CONTACTED HIM WITH REGARD TO THE PRESS RELEASES THAT HE DID WRITE. NO ONE NEEDED THIS PRODUCT, NO ONE CARED ABOUT IT, AND NO ONE ASKED FOR IT, IN FACT, MR. ONUFER NEVER HEARD ANOTHER WORD ABOUT IT

UNTIL FEBRUARY OF 1997. WITH REGARD TO HIS RESPONSIBILITY FOR PREPARATION OF LEGISLATIVE ANALYSES OF ITEMS; A WRITTEN CLARIFICATION WAS PROMISED BY COUNCILMEMBER BEAL OF THE PRIORITIZATION OF ASSIGNED TASKS, BUT NEVER DELIVERED. MR. ONUFER WAS TOLD VERBALLY, HOWEVER, THAT HIS TOP PRIORITY WAS THE COMPUTER PROJECT. THERE WAS NO MENTION OF THE LEGISLATIVE ANALYSIS FUNCTION AGAIN. NOW HE IS BEING RECOMMENDED FOR DISMISSAL BECAUSE OF IT. WITH REGARD TO THE 'BASEBALL WALL OF FAME PROJECT' COUNCILMEMBER LILLY ASSIGNED THIS PROJECT TO MR. ONUFER, WHO WORKED ON THE PROJECT WITH JACK BOSS AND COUNCILMEMBER LILLY. COUNCILMEMBER LILLY INDICATED TO MR. ONUFER THAT THERE WAS "NO RUSH" ON THIS PROJECT. COUNCILMEMBER LILLY SUSPENDED WORK ON THIS PROJECT AND NEVER RE-INITIATED IT. MR. ONUFER WAS ASKED TO PROVIDE A DAILY TASK LIST AND WEEKLY UPDATES TO IT. HE VERBALLY OBJECTED TO THIS PROPOSAL, AND IT WAS NEVER MENTIONED AGAIN UNTIL FEBRUARY 27, 1997. THERE IS NOTHING IN HIS PERSONNEL FILE THAT DOCUMENTS THAT HE DID NOT COMPLETE THESE TASKS. MR. ONUFER STARTED CHANNEL 28 FOR THE CITY AND IS HONORED ON THE BEGINNING PAGE OF THE CODE OF ORDINANCES AS BEING ONE OF THE PRINCIPALS IN IT'S DEVELOPMENT. THE PROBLEM HERE, IS A BREAKDOWN IN COUNCIL LEADERSHIP IDENTIFYING WHAT IS TO BE DONE AND WHO IS TO DO IT, AND WITH NON-COUNCILMEMBERS GIVING DIRECTION TO COUNCIL STAFF. WITH REGARD TO THE COMPUTERIZATION PROJECT; COUNCILMEMBER BEALS' HUSBAND WROTE A LETTER STATING THAT HE WOULD BE WORKING ON THIS PROJECT. IN FACT, IT WAS PETE WHO SELECTED THE COMPUTER COMPANY THAT THEY WOULD GO WITH. LATER, THE COMPUTERIZATION PROJECT WAS ASSIGNED TO INTERNAL AUDITOR, GREG KOESSEL AND A SOLE SOURCE PURCHASE ORDER WAS USED FOR THE PURCHASE OF THEIR COMPUTER EQUIPMENT. THE SOLE SOURCE PURCHASE ORDER WAS SECURED ON JULY 17, 1996. COUNCILMEMBER BEAL CIRCULATED A MEMO LATER INDICATING HER DISSATISFACTION WITH AN EMPLOYEE OF THE COMPUTER COMPANY, AND IT WAS DIRECTED THAT THEY FIND ANOTHER COMPANY. THEIR UPGRADE WAS DISCUSSED WITH PRACTICOM, BUT THE "ON AGAIN/OFF AGAIN" DIRECTION FROM COUNCILMEMBER BEAL RUINED THIS PROJECT. A MEMO FROM COUNCILMEMBER BEAL TELLS MR. ONUFER THAT THEY WILL DISCUSS POTENTIAL ACTIONS BEFORE MOVING FORWARD. AN E-MAIL MESSAGE FROM COUNCILMEMBER BEAL AND HER HUSBAND, PETE, MAKE IT CLEAR THAT SHE AND PETE WERE WORKING WITH PRACTICOM ON THE COUNCIL COMPUTER UPGRADE. MR. ONUFER EXPERIENCED AN INABILITY TO OBTAIN ACCURATE QUOTES FROM THE PRACTICOM COMPANY AND DETAILED HIS EXPERIENCES IN WRITING TO COUNCILMEMBER BEAL. SHE WROTE BACK THAT SHE WOULD HAVE HER HUSBAND, PETE, DEAL WITH THE SITUATION WITH PRACTICOM. CLEARLY THIS SITUATION WAS TURNED OVER TO 'PETE'. COUNCILMEMBER BEAL WROTE A MEMO ON DECEMBER 28, 1996 SAYING THAT THERE WAS NO RUSH ON HOOKING UP THE COMPUTER EQUIPMENT. MEMO AFTER MEMO FROM COUNCILMEMBER BEAL CLEARLY TELLS

MR. ONUFER THAT SHE IS RELYING ON HER HUSBAND, PETE, TO DEAL WITH THE COMPUTER PURCHASE. HE HAS DOCUMENTARY EVIDENCE SHOWING MEMOS BACK AND FORTH BETWEEN STAFF MEMBER FRAN KNOT AND PETE. IF IT IS NOT CLEAR WHO IS IN CHARGE OF THIS PROJECT, IT IS NOT MR. ONUFER'S FAULT, PETE WAS GIVING DIRECTION TO COUNCIL STAFF. MR. ONUFER WAS NOT ASKED FOR PERFORMANCE REPORTS UNTIL JANUARY OF 1997. WITH REGARD TO THE INCIDENT RELATED TO THE CHANNEL 28 LIBRARY; MR. ONUFER AGREES THAT THERE WAS A DISAGREEMENT BETWEEN HIMSELF AND COUNCILMEMBER LEEMAN ON THIS SUBJECT, HOWEVER, HE FELT THAT THEY HAD AGREED THAT THEY HAVE DIFFERING OPINIONS ON THE SUBJECT AND AGREED TO DISAGREE AND LEAVE IT AT THAT. HE IS BEING FIRED BECAUSE HE DISAGREES WITH THEM? ON THE REPORT ON THE NORTH SIDE POLICE PRECINCT; MR. ONUFER COMPLETED THIS ASSIGNMENT. THE ANALYSIS THAT HE PROVIDED DOESN'T HAPPEN TO COINCIDE WITH COUNCILMEMBER BEAL'S OPINION AND THAT IS THE REAL ISSUE. COUNCILMEMBER LEEMAN ACCUSES MR. ONUFER OF HAVING LEFT WORK WITHOUT AUTHORIZATION. THIS HAS OCCURRED ONCE IN TWENTY (20) YEARS. ON THIS DAY, MR. ONUFER WAS TOLD THAT HE WOULD NOT BE NEEDED FOR 'AGENDA PREVIEW', AND THAT HE COULD GO AHEAD AND SCHEDULE HIMSELF FOR SOMETHING ELSE. THE BOTTOM LINE IN THIS PROCEEDING IS THAT WE SHOULD BE GUIDED BY THE PRINCIPALS OF FAIRNESS, NOT BY PRESSURE FROM CERTAIN COUNCILMEMBERS THAT IF MR. ONUFER REMAINS IN THE COUNCIL'S EMPLOY IT WILL BE A PROBLEM FOR THEM. THE EVALUATION OF THIS ISSUE COMES DOWN TO A 20 YEAR EMPLOYEE WITH A PERSONNEL FILE THAT GIVES NOT ONE SHRED OF EVIDENCE THAT HE SHOULD BE DISMISSED.

### PUBLIC COMMENTS

VERN REEDSMA OF 1520 N. FAIRVIEW URGED COUNCILMEMBERS TO VOTE NO ON THE RECOMMENDATION FOR MR. ONUFER'S TERMINATION. AS A TAX-PAYER AND RESIDENT OF THE CITY, HE WOULD PREFER TO RETAIN RON'S EXPERIENCE AND EXPERTISE. AS A FRIEND OF RON'S HE APPRECIATES THE FACT THAT HE HAS A VERY DIFFICULT JOB, WITH EIGHT (8) BOSSES AND A LOT OF DEMAND ON HIS TIME. COUNCIL'S MANAGEMENT TECHNIQUES ARE JUST A LITTLE UNUSUAL. THEY SHOULD TABLE THIS RECOMMENDATION AND TRY SOME EFFECTIVE PERFORMANCE EVALUATIONS AND EMPLOYEE COUNSELING.

DENNY PURDUE, NO ADDRESS GIVEN, SPOKE ON BEHALF OF MR. ONUFER, SAYING, THAT IT IS PRETTY CONFUSING THAT MR. ONUFER'S PERFORMANCE HAS NOT BEEN QUESTIONED UNTIL NOW. AFTER 18 YEARS OF LOYAL SERVICE, AND WITH HIS WORKLOAD RON SHOULD BE GIVEN A "JUNIOR LEGISLATIVE ASSISTANT". THIS IS A WITCH HUNT.

THERESE PORN, FORMER MEMBER OF THE CABLE ADVISORY BOARD, SAID THAT SHE WAS SHOCKED TO LEARN THAT MR. ONUFER'S JOB PERFORMANCE WAS UNDER SCRUTINY. AFTER SERVING ON THIS BOARD AS BOTH A MEMBER AND AS THE CHAIR, SHE HAS WORKED

WITH RON FOR OVER FIVE (5) YEARS. HIS KNOWLEDGE AND EXPERIENCE ARE INVALUABLE TO THE CITY IN THIS CAPACITY. THEY COULD NOT HAVE DEVELOPED THE CABLE AND TELECOMMUNICATIONS ORDINANCE WITHOUT HIM. IT WAS A FORMAL DECISION OF THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD THAT THEIR MINUTES WOULD BE KEPT ON AUDIO CASSETTE. THIS IS ALLOWED BY THE OPEN MEETINGS ACT AND HAS BEEN COMMUNICATED TO THE CITY CLERK. THEY HAVE NEVER RECEIVED ANY NEGATIVE FEEDBACK ON THIS DECISION. MANY OF THEIR MEETINGS WERE VERY LONG AND VERY TECHNICAL. THE ISSUE OF THE METHOD OF KEEPING THEIR MINUTES WAS NOT MR. ONUFER'S CHOICE.

JO ELLEN FLAHERTY OF PATTENGILL ST. STATED THAT SHE DID NOT VOTE FOR ANYONE BY THE NAME OF "PETE" FOR CITY COUNCIL. ADDITIONALLY, SHE DOES NOT KNOW THE RON ONUFER THAT COUNCILMEMBERS BEAL AND LEEMAN HAVE REFERRED TO HERE TODAY. SHE WORKED EXTENSIVELY WITH RON DURING HER TENURE IN MAYOR MCKANE'S ADMINISTRATION AND IN MAYOR CRAWFORD'S ADMINISTRATION. SHE WORKED WITH HIM ON THE CLAIM REVIEW BOARD, ON CITIZENS COMPLAINTS, AND ON COUNCILMEMBER REQUESTS. HE WAS ALWAYS VERY PROFESSIONAL, ACCOMMODATING AND LOYAL TO EACH AND EVERY COUNCILMEMBER. HE HAS NEVER CRITICIZED ANY COUNCILMEMBER. IT IS LAUGHABLE TO ACCUSE HIM OF OPEN DISRESPECT WHEN THE DISRESPECT SHOWN TO OTHER PEOPLE BY CERTAIN COUNCILMEMBERS IS SO RAMPANT. THEY TREAT THE MAYOR, THE PUBLIC, STAFF MEMBERS, AND EVEN THEIR OWN COLLEAGUES WITH CONTEMPT. COUNCILMEMBERS HAVE A RESPONSIBILITY TO BE FAIR. IT IS HER OPINION THAT RON SHOULD BE RETAINED.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT SIX OF THE COUNCILMEMBERS SEATED NOW OWE THEIR JOBS TO MR. ONUFER. IF HE HAD DONE HIS JOB ON THE EARLY RETIREMENT ISSUE, THEY WOULD NOT HAVE BEEN ELECTED, BECAUSE EARLY RETIREMENT WOULD NEVER HAVE BEEN PASSED AND THE FORMER INCUMBENTS WOULD HAVE PREVAILED IN THE ELECTION. HE STATED THAT HE DOES NOT RECEIVE ANY ASSISTANCE FROM MR. ONUFER, AND THAT HE (ONUFER) TREATS HIM RUDELY.

GRETCHEN COUROUD OF THE CHAMBER OF COMMERCE STATED THAT SHE HAS WORKED WITH MR. ONUFER FOR FIVE (5) YEARS. HE HAS ALWAYS BEEN KNOWLEDGEABLE OF PROCESSES AND ORDINANCES. HE IS ALWAYS VERY RESOURCEFUL AND HELPFUL TO THE PUBLIC. SHE URGED COUNCILMEMBERS TO RETAIN HIM.

ROBERT BROCKWELL OF BANCROFT CRT. SAID THAT HE ALSO SERVED AS RON'S BOSS AT ONE TIME. RON IS A COMPETENT INDIVIDUAL WHO IS ASKED TO DO A LOT OF THINGS ON THE SPUR OF THE MOMENT. HE ALWAYS OBLIGES. HE IS COURTEOUS AND RESPECTFUL WHEN TREATED WITH COURTESY AND RESPECT. HE IS LIKE A NINTH COUNCILMEMBER. HE IS VERY VALUABLE IN COMMITTEE WORK. HE URGED COUNCILMEMBERS TO VOTE NO ON THE RECOMMENDATION FOR TERMINATION.

DAVE BERRIDGE, TRAFFIC ENGINEER FOR THE CITY OF

LANSING STATED THAT HE HAS WORKED WITH RON FOR SIXTEEN (16) YEARS. HE HAS BEEN SERVED BY HIM IN HIS WORK WITH THE COUNCIL COMMITTEES. RON IS ALWAYS WILLING TO DISCUSS BOTH SIDES OF EVERY STORY AND EVERY ISSUE. SOMETIMES IT IS NOT SO NICE FOR PEOPLE TO HEAR THE OTHER SIDE OF THE STORY, BUT THE KEY IS THAT YOU NEED PEOPLE WHO CAN PROVIDE YOU WITH BOTH SIDES FOR YOUR DELIBERATION. RON HAS WORKED ON MANY DIFFERENT PROJECTS FOR EVERYONE. HE FACILITATES THE OUTDOOR COUNCIL MEETINGS THAT ARE HELD YEARLY, HE COORDINATED THE STUDENT GOVERNMENT DAY FOR THREE SENIOR HIGH SCHOOLS. HE IS REQUIRED TO SERVE A LOT OF MASTERS AND ALWAYS DOES SO VERY PROFESSIONALLY. HE IS EXTREMELY KNOWLEDGEABLE. THE RESIDENTS OF LANSING WOULD BE DIS-SERVED BY THE LOSS OF HIS KNOWLEDGE.

HARRY HOSCH, NO ADDRESS GIVEN, STATED THAT HE IS A FORMER CITY EMPLOYEE. HE CAN ATTEST TO THE FACT THAT ON THE DAY IN QUESTION WHEN MR. ONUFER ATTENDED A CONFERENCE IN ANN ARBOR USING COMPENSATORY TIME, HE WAS ATTENDING A STRATEGIC PLANNING TASK FORCE MEETING FOR TELECOMMUNICATIONS. THIS TOOK PLACE ON JANUARY 31, 1997 IN HIS OFFICE IN ANN ARBOR. MR. ONUFER DID INDEED USE COMP-TIME TO ATTEND A DAY LONG STRATEGIC PLANNING EVENT THAT RAN FROM 10:00 A.M. TO 5:00 P.M. HE WORKED WITH RON IN HIS EMPLOY FOR THE CITY OF LANSING AS A PART-TIME CHANNEL 28 EMPLOYEE. MR. ONUFER DESERVES THE CREDIT FOR THE DEVELOPMENT OF CHANNEL 28, WHICH GOVERNMENT ACCESS CHANNEL IS THE ENVY OF MANY OTHER CITIES ACROSS THE COUNTRY, INCLUDING ANN ARBOR. MANY CITIES DO NOT HAVE A CABLE CHANNEL THAT COMPARES WITH CHANNEL 28 IN ANY WAY. MR. ONUFER HAS BEEN INSTRUMENTAL IN HELPING ANN ARBOR DEVELOP THEIR TELECOMMUNICATIONS CAPABILITIES. HE URGED COUNCILMEMBERS TO RETAIN MR. ONUFER.

DIRK KOENING, EXECUTIVE DIRECTOR OF THE COMMUNITY MEDIA CENTER IN GRAND RAPIDS, ECHOED THE COMMENTS OF MR. HOSCH. HE HAS KNOWN MR. ONUFER FOR 15 YEARS. THEY HAVE COLLABORATED TOGETHER ON THE ALLIANCE FOR COMMUNITY MEDIA. MR. ONUFER PROVIDES GREAT LEADERSHIP TO THE ALLIANCE. THEY CAN BE CONSIDERED AS PROVIDING SUPERIOR LEADERSHIP WITHIN THE UNITED STATES. THE CITY OF GRAND RAPIDS HAS BENEFITED FROM MR. ONUFER'S EXPERIENCE. THEIR CABLE ACCESS CHANNEL ALSO PALES IN SIGNIFICANCE BESIDE CHANNEL 28, WHICH WAS DEVELOPED BY RON. RON'S LEADERSHIP ABILITY STEMS FROM CLARITY OF VISION. THIS IS NOT A POINT BEING REVIEWED HERE TODAY, BUT PERHAPS IT SHOULD BE.

BARBARA FRENCH, A FORMER CAMERA OPERATOR FOR CHANNEL 28, STATED HER AGREEMENT WITH THE COMMENTS MADE BY MRS. FLAHERTY. RON HAS ALWAYS PROVEN TO BE RESPECTFUL TO EVERYONE. COUNCIL WOULD BE CRAZY TO LET EIGHTEEN (18) YEARS OF EXPERIENCE OF THIS CALIBER GO.

**COUNCILMEMBER'S COMMENTS**

BY COUNCILMEMBER LEEMAN

TO PLACE AN AFFIRMATIVE ROLL ON COUNCILMEMBER BEAL AND COUNCILMEMBER LEEMAN'S RECOMMENDATION FOR THE DISMISSAL OF THE CITY COUNCIL PRINCIPAL LEGISLATIVE ASSISTANT.

COUNCILMEMBER LILLY STATED THAT THE PAST FIVE (5) PRESIDENTS OF CITY COUNCIL ARE PRESENT IN THIS ROOM. NOT ONE OF THEM EVER GAVE WRITTEN ASSIGNMENTS. IN FACT, IT IS NOT CREDIBLE TO EXPECT A STAFF MEMBER OF MR. ONUFER'S STATURE TO NEED WRITTEN ASSIGNMENTS. OTHER THAN THE EVALUATION HE PERFORMED OF RON WHEN HE WAS VICE-PRESIDENT IN 1993 THE NEXT LATEST EVALUATION WAS FROM 1990-91 BY COUNCILMEMBER BENAVIDES. THERE IS NO SUPPORT FOR THE ALLEGATION THAT COUNCIL IS MIS-MANAGED. THERE IS NO REQUIREMENT FOR THEM TO PLACE DISCIPLINARY ACTIONS INTO PERSONNEL FILES. THIS IS SPECIFIED IN THEIR CONTRACT AGREEMENTS. MR. ONUFER IS AN AT-WILL EMPLOYEE, AND AS SUCH, CAN BE REMOVED WITHOUT CAUSE. HE SYMPATHIZES WITH COUNCILMEMBER BEAL BECAUSE OF THE ATTACKS ON HER HUSBAND. WITH REGARD TO MR. ONUFER'S OUTBURST TO VICE-PRESIDENT LEEMAN, HE WITNESSED THIS INCIDENT AND IT WAS VERY DISTURBING. EVERY MEMBER OF COUNCIL STAFF EXPRESSED THE SAME THING TO HIM. HE GAVE MR. ONUFER AN ASSIGNMENT WITH REGARD TO THE 'BASEBALL WALL OF FAME' THAT WENT UNCOMPLETED UNTIL IT WAS ASSIGNED TO ANOTHER STAFF MEMBER. THERE IS A BIG DIFFERENCE BETWEEN AN EMPLOYER GETTING ANGRY WITH AN EMPLOYEE AND AN EMPLOYEE BEING INSUBORDINATE TOWARDS AN EMPLOYER. MR. ONUFER'S OUTBURST TOWARDS COUNCILMEMBER LEEMAN AND OPEN INSUBORDINATION TOWARDS COUNCILMEMBER BEAL ARE THE MOST SERIOUS ISSUES TO BE DEALT WITH TODAY. IT IS THE ASSUMPTION THAT THE VICE-PRESIDENT IS IN CHARGE OF COUNCIL STAFF, HOWEVER, THAT IS NOT THE CASE, ACCORDING TO COUNCIL RULES IT IS THE PRESIDENT WHO HAS OVERSIGHT OVER THE STAFF AND MAY CHOOSE TO DELEGATE THIS RESPONSIBILITY TO THE VICE-PRESIDENT. IT WOULD BE TOUGH TO DOCUMENT WORK ORDERS AND ASSIGNMENTS BECAUSE THEY COME IN AT THE LAST MINUTES AND AT ALL TIMES OF THE DAY. COUNCIL STAFF MEMBERS DO HAVE EIGHT (8) BOSSES. IT IS TOO LATE TO DEVELOP A NEW METHOD NOW WHILE THEY ARE IN MID-STREAM. THERE IS A PROCESS IN PLACE, IT MAY NOT BE WELL DEFINED, IT MAY BE UNCLEAR, BUT WHEN THIS PROBLEM CAME UP WITH ANOTHER EMPLOYEE YEARS AGO IT WORKED. THE PROBLEM IS THAT THE VICE-PRESIDENT AND THE PRESIDENT CHANGE EVERY SINGLE YEAR AND THE STAFF CHANGES MANAGEMENT STYLES RIGHT ALONG WITH THEM.

COUNCILMEMBER BEAL STATED THAT IT WAS NOT MR. ONUFER'S USE OF COMPENSATORY TIME ON JANUARY 31, 1997 THAT IS AT ISSUE, IT IS HIS RESPONSE TO COUNCILMEMBER LEEMAN WHEN HE WAS QUESTIONED ABOUT IT. THIS IS A PATTERN THAT APPEARS TO BE DEVELOPING BETWEEN COUNCILMEMBER LEEMAN AND

MR. ONUFER. THEY RELY HEAVILY ON THEIR STAFF TO TELL THEM PROCEDURES AND POLICY. NO INSTRUCTION IS GIVEN IN WRITING. IT IS ALL GIVEN VERBALLY. THEY HAVE THE RIGHT TO EXPECT LEADERSHIP AND INITIATIVE AND ABILITY FROM SOMEONE WHO IS BEING PAID \$55,000 PER YEAR. IF THERE IS A LACK IN THE AREA OF A POLICIES AND PROCEDURES MANUAL, MR. ONUFER SHOULD HAVE TAKEN THE INITIATIVE AND DEVELOPED IT. THE COMPUTER SITUATION WAS EXTREMELY FRUSTRATING FOR HER AND THAT IS WHY HER HUSBAND VOLUNTEERED TO HELP HER WITH IT. MR. ONUFER FAILED TO STEP UP TO THE PLATE AND MANAGE THIS PROJECT. ON JANUARY 2, 1997, SHE GAVE HIM SPECIFIC INSTRUCTION AS TO THE PRIORITIZATION OF THE COMPUTER EQUIPMENT. HE WAS NEEDED ON THIS PROJECT, BECAUSE COUNCILMEMBERS ALL HAVE OTHER JOBS TO PERFORM AND COULD NOT TAKE THIS PROJECT ON THEMSELVES. SHE REQUESTED THAT HE MAKE DAILY PROGRESS REPORTS IN WRITING BECAUSE SHE HAD REACHED THE POINT WHERE SHE FELT THAT SHE NEEDED THIS KIND OF ACCOUNTABILITY FROM HIM ON THIS PROJECT ON A DAILY BASIS. MR. ONUFER COULD NOT HAVE BEEN OVERWHELMED BY STUDENT GOVERNMENT DAY IN JULY OF 1996. HE HAD ABDICATED HIS RESPONSIBILITIES FOR ASSIGNMENTS AND DELEGATED THEM TO EVERYONE ELSE. SHE STATED THAT HIS ATTITUDE HAS BEEN WORSENING SINCE THE EARLY RETIREMENT OF 1992 THAT HE DID NOT TAKE ADVANTAGE OF. THERE ARE MANY ISSUES ON WHICH THEY NEEDED ANALYSES THAT THEY DID NOT RECEIVE; GLAHA, LEPPA, CIVIL RIGHTS, STORM WATER, NORTH SIDE POLICE PRECINCT. THESE ARE ALL PROJECTS THAT MR. ONUFER DID NOT COMPLETE. SHE STATED THAT MR. ONUFER HAS INFORMATION REGARDING PROJECTS THAT HE HOLDS BACK AND DOES NOT SHARE WITH COUNCILMEMBERS. FOR INSTANCE, THE CITY SPENT \$10,000 RENTING A TELEPROMPTER FOR MAYOR HOLLISTER'S STATE OF THE CITY ADDRESS IN 1996. ONLY MR. ONUFER KNEW THAT THE CITY OWNS IT'S OWN TELEPROMPTER AND THAT IT IS ON LOAN TO WAVERLY HIGH SCHOOL. AFTER MR. ONUFER WAS PUT ON LEAVE, HIS DUTIES WERE DIVIDED UP BETWEEN REMAINING STAFF MEMBERS AND THE OFFICE IS RUNNING VERY SMOOTHLY WITHOUT HIS POSITION BEING FILLED. THESE PROCEEDINGS ARE ALL ABOUT A LACK OF CONFIDENCE. SHE FEELS SHE CANNOT GIVE HIM ASSIGNMENTS, BECAUSE HE WILL NOT DO THEM, OR HE WILL SAY IT IS NOT HIS JOB TO DO IT. SHE STATED THAT SHE MADE IT CLEAR TO MR. ONUFER THAT THERE WAS A LOT OF DISSATISFACTION WITH HIS JOB PERFORMANCE AND THAT THERE WERE PEOPLE PUSHING TO FIRE HIM. SHE SAID THAT SHE DID NOT COMPLETE AN EVALUATION OF RON, BECAUSE SHE COULD NOT GIVE HIM A GOOD ONE. SHE COUNSELED RON AND ANOTHER EMPLOYEE REGARDING THEIR WORK PRACTICES. THE OTHER EMPLOYEE HAS SHOWN SIGNIFICANT IMPROVEMENT. HER HUSBAND DID PROVIDE SOME EXPERTISE IN TERMS OF THE COMPUTER PROJECT, BUT, SHE WAS NOT COMFORTABLE WITH HAVING HIM KEEP WORKING ON THIS PROJECT FOR COUNCIL. SHE COULD NOT GET A RESPONSE FROM MR. ONUFER AS TO HIS PERFORMANCE OF THIS TASK. MR. ONUFER'S COMMENTS TO VICE-PRESIDENT LEEMAN DURING THE STAFF MEETING WERE EXTREME. SHE DID

NOT WANT TO PUT THE OTHER STAFF MEMBERS ON THE SPOT BY ASKING THEM TO TESTIFY. SHE AGREES THAT THEY DO NEED A POLICIES AND PRIORITIES MANUAL, BUT FEELS THAT MR. ONUFER SHOULD HAVE TAKEN THE LEAD AND DEVELOPED ONE.

COUNCILMEMBER NOVAK ASKED MR. ONUFER HOW MANY COMMITTEES HE STAFFED PRIOR TO MARCH. MR. ONUFER RESPONDED THAT HE STAFFED ALL OF THE STANDING COMMITTEES AND WAS EXPECTED TO ATTEND ALL OF THE MEETINGS. IN ADDITION TO COUNCIL STANDING COMMITTEES HE STAFFS THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD, THE CLAIM REVIEW COMMITTEE AND THE AD HOC COMMITTEE ON HOUSING. COUNCILMEMBER NOVAK QUESTIONED MR. ONUFER AS TO HOW MUCH TIME HE ALLOCATED WEEKLY TO COMMITTEE MEETINGS. MR. ONUFER RESPONDED THAT IT WAS A LOT OF HOURS DURING A FULL COMMITTEE WEEK. COUNCILMEMBER NOVAK ASKED HOW MANY RESOLUTIONS MR. ONUFER WAS RESPONSIBLE FOR DRAFTING DURING A TYPICAL WEEK. MR. ONUFER RESPONDED THAT THERE IS NO SUCH THING AS A TYPICAL WEEK, HOWEVER, SOME WEEKS WOULD SEE HIM RESPONSIBLE FOR DRAFTING AS MANY AS 10-15 RESOLUTIONS. COUNCILMEMBER NOVAK EXPRESSED HIS CONCERN THAT CITY COUNCIL DOES NOT HAVE A CLEARLY DEFINED MANAGEMENT TECHNIQUE FOR DEALING WITH EMPLOYEES THAT REPORT DIRECTLY TO THEM. THE MOST INTERESTING ISSUE HERE IS COUNCILMEMBER LEEMAN'S COMMENTS ABOUT THE DISCUSSION BETWEEN HE AND RON. MR. ONUFER REPORTS TO EIGHT (8) INDIVIDUALS WHO ARE CLEARLY NOT OF ONE MIND AS TO THE PRIORITIZATION OF TASKS. THERE IS NO MECHANISM THAT ADDRESSES THE PRIORITIZATION OF DIFFERENT PROJECTS THAT OCCUR SIMULTANEOUSLY. COUNCIL NEEDS A METHOD OF PRIORITIZATION TO GIVE TO THEIR EMPLOYEES. IN FACT, THIS IS THE FIRST MEETING HE HAS ATTENDED IN WHICH THEY HAVE HAD AN IN-DEPTH DISCUSSION OF PERSONNEL MANAGEMENT ISSUES FOR THEIR STAFF. IT WOULD BE APPROPRIATE TO CONDUCT THESE TYPES OF SESSION FOR ALL EMPLOYEES ON A ROUTINE BASIS. HE ACCEPTS COUNCILMEMBER BEAL'S EXPLANATION THAT HER HUSBAND PROVIDED ASSISTANCE WITH THE COMPUTER PROJECT BECAUSE THEY NEEDED HIS EXPERTISE, AND HE APPRECIATES HOW HELPFUL THIS WAS TO THEM. THE COMPUTER INSTALLATION PROJECT HAS BEEN DRAGGING ON AND HAS BEEN FULL OF MIS-COMMUNICATION. HOWEVER, HE IS NOT WILLING TO POINT FINGERS AT ANYONE BECAUSE OF IT. HE HAS PERSONALLY CALLED THE COMPUTER COMPANY MANY TIMES AND HAS NEVER GOTTEN A RESPONSE FROM THEM. HE EXPLAINED AN INCIDENT FROM HIS EARLY DAYS OF PRACTICING LAW WITH A PRIVATE FIRM IN DETROIT, IN WHICH HE REQUIRED DISCIPLINARY ACTION. HE TOOK THE ACTION TO HEART AND TURNED HIS WORK ETHIC AROUND AND WHEN IT CAME TIME FOR HIS SIX (6) MONTH PROBATIONARY REVIEW, HE HAD MADE SIGNIFICANT IMPROVEMENT AND WAS RETAINED BY THE FIRM. THIS IS WHAT HE PROPOSES FOR MR. ONUFER. IT IS APPROPRIATE FOR THEM TO ASK HIM FOR PERFORMANCE IMPROVEMENTS WITHIN A SPECIFIED TIME PERIOD. HE WILL NOT VOTE TO DISMISS MR. ONUFER. COUNCIL SHOULD PROVIDE HIM WITH NOTIFICATION OF

THE AREAS OF HIS PERFORMANCE THAT HAVE NOT MET THEIR EXPECTATIONS, DEFINE THEIR EXPECTATIONS OF HIS PERFORMANCE, AND THEN LOOK AT HIS ACTIONS AFTER A 6 MONTH PERIOD.

COUNCILMEMBER ALLEN SAID THAT THERE ARE TWO CENTRAL ISSUES FOR HER, PERFORMANCE AND CHARACTER. SHE HAS A SIMILAR BACKGROUND WITH HER WORK FOR A STATE SENATOR. THEY ARE AT-WILL EMPLOYEES, AND WHEN THERE IS A CHANGE IN ADMINISTRATION, MANY PEOPLE ARE LET GO. IN HER CASE THE SENATOR THAT LET HER GO EXPRESSED HIS REGRET AT LOSING HER EXPERTISE AFTER SHE WAS DISMISSED. SHE STATED THAT SHE HAS HAD A LOT OF POSITIVE INTERACTION WITH RON AND THAT HE PROVIDED HER WITH QUALITY DIRECTION WHEN SHE WAS LEARNING THE ROPES AS A NEW COUNCILMEMBER. SHE DOES NOT BELIEVE THAT IT WAS FAIR TO BRING IN AN OUTSIDER TO GIVE RON DIRECTION WITH REGARD TO THE COMPUTER UPGRADE. PETE WAS HELPFUL, BUT SHE WAS SURPRISED THAT THE SPOUSE OF A COUNCILMEMBER WOULD INVOLVE THEMSELVES IN THE OPERATION OF THE COUNCIL OFFICE ON A DAY TO DAY BASIS. SHE WAS DIRECTED TO TALK TO PETE REGARDING THE FACT THAT SHE IS NOT ON-LINE, AND SHE DID TALK TO HIM, AND SHE IS STILL NOT HOOKED UP. MR. ONUFER HAS NEVER EXPRESSED CRITICISM OF COUNCILMEMBERS BEFORE. THERE HAS ONLY BEEN ONE INCIDENT OF INSUBORDINATION IN 18 YEARS OF GIVING OF HIS KNOWLEDGE AND EXPERTISE. WHEN YOU ARE DISSATISFIED WITH AN EMPLOYEE YOU HAVE MORE THAN THE LEGAL OBLIGATIONS SET FORTH IN THEIR CONTRACT. YOU HAVE A MORAL OBLIGATION, AS WELL. WHEN YOU ARE DISSATISFIED YOU MUST DOCUMENT, DOCUMENT, DOCUMENT. SHE STATED THAT SHE MADE THE SAME PROPOSAL SUGGESTED BY COUNCILMEMBER NOVAK TO BOTH PRESIDENT BEAL AND MR. ONUFER. SHE HAS ALWAYS RECEIVED UNBIASED OPINIONS FROM MR. ONUFER. AS TO THE STATEMENT THAT OTHER STAFF MEMBERS HAVE TAKEN OVER HIS RESPONSIBILITIES WITH NO PROBLEMS, SHE HAS SPOKEN TO THE OTHER STAFFERS. THEY ARE CAUSING BURN OUT AMONG THEIR STAFF MEMBERS. THEY ARE NOT RECEIVING COMMITTEE MINUTES IN A TIMELY MANNER. IF WHAT COUNCILMEMBER BEAL SAYS IS TRUE, THEN THEY DO NOT NEED TO HIRE ANYONE TO TAKE MR. ONUFER'S PLACE. THEIR LEGISLATIVE ANALYST WORKS FOR EIGHT (8) PEOPLE. THEY SAW FIT TO HIRE AN ASSISTANT FOR THEIR INTERNAL AUDITOR, BUT NOT FOR THEIR LEGISLATIVE ANALYST.

COUNCILMEMBER BENAVIDES SAID THAT HE HAD HOPED THAT THIS HEARING WOULD HAVE BEEN CANCELED AND THAT MR. ONUFER WOULD HAVE ACCEPTED THE SEVERANCE PACKAGE OFFERED TO HIM. HE FELT IT WAS A FAIR OFFER. HOWEVER IT WAS REFUSED BY MR ONUFER. HE HAS THOUGHT ABOUT BRINGING RON BACK TO WORK, BUT FEELS THAT THE DAMAGE HAS BEEN DONE, AND THERE IS NO GOING BACK. THAT IT WOULD BE UNHEALTHY FOR COUNCIL AND FOR RON TO DO SO. THAT RON WOULD NOT BE EFFECTIVE AND THEY WOULD NOT BE ABLE TO TRUST HIM. CREDIBILITY, RESPECT AND TRUST ARE VERY IMPORTANT IN THIS POSITION. HE HAS NO PERSONAL ISSUE HERE AGAINST



RON, BUT TO HAVE 50% OF COUNCILMEMBERS UPSET ALL OF THE TIME WOULD MAKE IT VERY HARD FOR HIM, AS WELL AS THE REST OF THE STAFF. HE WOULD LIKE TO GIVE HIM THE BENEFIT OF THE DOUBT, BUT HE DOES NOT BELIEVE THAT IT WOULD WORK. HE DID NOT REALIZE THAT RON WANTED TO COME BACK TO WORK.

COUNCILMEMBER BAUER SAID THAT THIS IS THE MOST SERIOUS ISSUE THEY HAVE DELIBERATED IN HER TENURE. IT IS VERY DIFFICULT BECAUSE YOU ARE DEALING WITH PEOPLES LIVES, HOWEVER, SHE AGREES WITH THE ASSESSMENT MADE BY COUNCILMEMBER BENAVIDES.

BY COUNCILMEMBER BENAVIDES

TO AMEND THE MOTION MADE BY COUNCILMEMBER LEEMAN AS FOLLOWS:

"TO TERMINATE THE EMPLOYMENT OF THE PRINCIPAL LEGISLATIVE ASSISTANT EFFECTIVE 6 MONTHS FROM THIS DATE, AND THAT IN THE INTERIM BETWEEN TODAY'S DATE AND THE 6 MONTH DATE THE PRINCIPAL LEGISLATIVE ASSISTANT WILL REMAIN ON A PAID LEAVE OF ABSENCE."

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS ALLEN, NOVAK

COUNCILMEMBER LEEMAN'S MOTION, AS AMENDED, WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS ALLEN, NOVAK

**ADJOURNED 6:45 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS APRIL 7, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER LILLY

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

APPROVAL FOR THE PRINTED PROCEEDINGS OF MARCH 24, AND MARCH 31, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LILLY; A RESOLUTION SETTING A PUBLIC HEARING FOR APRIL 21, 1997 IN CONSIDERATION OF THE CONSOLIDATED STRATEGY & PLAN SUBMISSION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

2. FROM COUNCILMEMBER NOVAK; A RESOLUTION SETTING A PUBLIC HEARING ON MAY 5, 1997 TO CONSIDER THE FOURTH AMENDED DEVELOPMENT PLAN, PHASE II OF LANSING CONVENTION/EXHIBITION CENTER & ASSOCIATED FACILITIES PROJECT & PHASE I - DOWNTOWN & ENTERTAINMENT DISTRICT & ASSOCIATED FACILITIES PROJECT

3. FROM COUNCILMEMBER NOVAK; LETTERS IN OPPOSITION TO THE REPEAL OF ORDINANCE #925 (STORMWATER ENTERPRISE FUND ORDINANCE) FROM: CORBIN J. ROY OF 2617 WOODRUFF; LYNNE DECATOR 1124 DOWNER; RODIVILLE MORRIS 2714 BELAIRE; PAM WILKES 735 VANCE ST.

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

COUNCILMEMBER JONES ANNOUNCED THAT THE REPORT OF THE AD HOC COMMITTEE ON EDUCATIONAL ACHIEVEMENTS WILL BE DISCUSSED AT THE NEXT MEETING OF THE SCHOOL BOARD ON APRIL 17, 1997. INTERESTED PARTIES CAN PICKUP THE REPORT FROM THE TABLE IN THE BACK OF CHAMBERS.

MAYOR HOLLISTER ANNOUNCED THAT ON FRIDAY, APRIL 11, 1997, AT 11:00 A.M. THERE WILL BE A RIBBON CUTTING CEREMONY AT THE NEWLY RENOVATED BOAT LAUNCH IN GRAND RIVER PARK.

COUNCILMEMBER BEAL SPOKE REGARDING THE NEWSPAPER ARTICLE SEEKING DONATIONS TO PUT LANSING SCHOOL COMPUTERS ON THE INTERNET. SHE BELIEVES THAT THIS IS A RESPONSIBILITY OF CONTINENTAL CABLEVISION UNDER THE PROVISIONS OF THE CABLE TELEVISION FRANCHISE GRANTED TO THEM BY THE CITY OF LANSING. SHE ASKED THAT MAYOR HOLLISTER CHECK INTO THIS PROVISION.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC HEARINGS

1. IN CONSIDERATION OF AN AMENDMENT TO ADD A NEW CHAPTER, CHAPTER 234, EMERGENCY MANAGEMENT, TO ESTABLISH AN EMERGENCY MANAGEMENT ORDINANCE TO PROVIDE FOR THE MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY FROM NATURAL AND HUMAN-MADE DISASTERS WITHIN THE CITY OF LANSING

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING.

COUNCILMEMBER ALLEN ANNOUNCED THAT FIRE CHIEF MARTIN IS PRESENT IN CHAMBERS TONIGHT TO ANSWER QUESTIONS, IF NECESSARY.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. IN CONSIDERATION OF THE ISSUANCE OF ORDERS FOR MAKE-SAFE OR DEMOLISH TO THE OWNERS OF PROPERTY LOCATED:

-631 S. FRANCIS  
-522 W. OAKLAND  
-733 WISCONSIN

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

► PUBLIC COMMENT ON LEGISLATIVE MATTERS

THOMAS HERNLY OF 3425 PALMER ST. SPOKE IN SUPPORT

OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. DECLARING THAT THIS IS A SANITARY SEWER ISSUE, NOT A STORMWATER ISSUE, HE ACCUSED THE ADMINISTRATION OF MISLEADING THE PUBLIC.

WILLIAM HUBBELL OF 3916 WEDGEWOOD SPOKE IN SUPPORT OF THE ORDINANCE TO REPEAL THE STORMWATER ENTERPRISE FUND ORDINANCE. HE THREATENED COUNCILMEMBER BENAVIDES OF DEFEAT AT THE POLLS IN THE NEXT ELECTION UNLESS HE VOTES TO REPEAL.

JIM ECKLAND OF 5945 WESTMINSTER SPOKE IN OPPOSITION TO THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. HE STATED HIS DISAPPOINTMENT THAT THE COUNCIL IS IGNORING THE RECOMMENDATIONS OF THE AD HOC STORMWATER COMMITTEE AND THEIR OWN PUBLIC SERVICE DEPARTMENT. HE URGED COUNCILMEMBERS TO WAIT FOR THE RESULTS OF THE INDEPENDENT STUDY THEY HAVE ORDERED ON THE STORMWATER ENTERPRISE FUND. GRETCHEN COUROUD OF THE LANSING REGIONAL CHAMBER OF COMMERCE SAID THAT MANY BUSINESS PEOPLE ARE NOT IN ATTENDANCE TONIGHT BECAUSE THEY FEEL THAT COUNCIL HAS STOPPED LISTENING TO THEM. SHE URGED MAYOR HOLLISTER TO VETO THESE ORDINANCES IF THEY ARE PASSED. SHE SAID THAT THE ORDINANCES BEING CONSIDERED TONIGHT ARE NOT FAIR, ACCURATE, OR IN THE BEST INTERESTS OF LANSING RESIDENTS AND BUSINESSES.

SUE MCCORMICK OF 2720 VALDEZ DR., ON BEHALF OF THE BOARD OF WATER & LIGHT, TOLD COUNCILMEMBERS THAT IF THESE ORDINANCES PASS TONIGHT, THEY WILL MEAN A 22% INCREASE IN SEWER BILLS FOR THE AVERAGE RESIDENT.

ED SIMMER OF 2609 DYER SAID THAT THE FEDERAL GOVERNMENT SHOULD BE HELPING COMMUNITIES TO FUND THE CSO PROJECT.

KEN SMITH OF 544 EDISON SAID THAT CITY COUNCIL HAS CREATED CLASS WARFARE OVER THIS ISSUE, AS WELL AS MANY OTHER ISSUES THAT COME BEFORE THEM. THERE IS A MOST UNHEALTHY ATMOSPHERE IN THIS CITY. IF THE SEWER SEPARATION PROJECT IS NOT MANDATED, COUNCIL SHOULD SCRAP IT, WE DO NOT NEED IT.

KEN RIEBOW OF 2018 PLEASANT VIEW SAID THAT HE WOULD NOT OBJECT TO THIS FEE IF IT WERE ADMINISTERED CORRECTLY. HIS FIRST BILL WAS FOR \$84.50, AND HE PAID IT PROMPTLY. HE APPEALED THE FEE AND HIS FEE WAS RECALCULATED.

REVEREND ANDREW BRODIE OF 1114 GLENN SPOKE IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

TOM LAFFERTY OF 1806 W. MICHIGAN AVE. DESCRIBED THE CSO PROJECT AS AN UNFUNDED, UN-MANDATED, UNNECESSARY STORM SEWER SEPARATION PROJECT. HE URGED COUNCIL TO REPEAL ORDINANCE #925.

KAY CARTER OF 402 CARRIER ST. SPOKE IN SUPPORT OF THE REPEAL OF THE (STORMWATER ENTERPRISE FUND ORDINANCE.

GERALD GRAVES OF 1623 S. GENESEE DR. SAID THAT HE ADVISED COUNCIL FOURTEEN MONTHS AGO THAT THE CSO PROJECT WAS NOT A FEDERALLY MANDATED PROJECT IN THE CITY OF LANSING. HE STATED THAT THE CITY STILL OWES HIM MONEY THAT HIS FIRST STORMWATER ENTERPRISE FUND PAYMENT EARNED IN INTEREST. THE CITY REFUNDED 50% OF THAT PAYMENT TO HIM SANS INTEREST, AND HE FEELS THAT THEY SHOULD REFUND THE INTEREST EARNED, AS WELL. HE URGED THE REPEAL OF ORDINANCE #925.

ALEX BOLT OF 1230 REO RD. SAID THAT THIS FUNDING MECHANISM HAS BEEN MISNAMED ALL ALONG. THIS IS NOT A STORM SEWER ISSUE, IT IS A SANITARY SEWER ISSUE. THIS REALLY A TAX DISGUISED AS A FEE. HE STATED THAT THERE IS NO MANDATE FOR THE CITY TO TREAT, OR MANAGE STORM WATER. THE ONLY MANDATE THAT THE CITY IS UNDER IS THAT WE MAY NO LONGER PUT UNTREATED SANITARY SEWAGE INTO THE GRAND RIVER. HE CRITICIZED THE JUDGES THAT ADJUDICATED HIS LAWSUIT, AND THE APPEAL THAT HE FILED UPON ITS DISMISSAL, FOR THEIR LACK OF UNDERSTANDING OF THE ISSUE. HE READ PORTIONS OF THE JUDGEMENT RENDERED IN HIS APPEAL.

RICHARD FISER OF 12100 S. CORK RD. IN MORRICE SPOKE IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SPOKE IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. HE SAID THAT THE CITIZENS ARE TIRED OF BEING LIED TO. THEY ARE TIRED OF CORRUPTION AND DECEIT. HE PROMISED THAT A GRASS ROOTS EFFORT WILL DEFEAT MAYOR HOLLISTER'S BID FOR RE-ELECTION.

CONNIE DELANEY OF 3721 AURELIUS RD. SAID THAT THE 100% COMMODITIES BASED SEWER RATE IS THE BEST METHODOLOGY AND THE FAIREST PROPOSAL FOR PAYING FOR THIS SYSTEM. IT IS ENVIRONMENTALLY POSITIVE AND WILLS AVE LANSING SCHOOLS OVER \$100,000 PER YEAR. THIS MONEY CAN BE PUT BACK INTO THEIR VERY TIGHT BUDGET. THE NEW SEWER RATE ORDINANCE WILL ALSO PUT MONEY BACK INTO THE POCKETS OF LANSING HOME OWNERS.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE READ PORTIONS OF A LETTER WRITTEN BY MAYOR HOLLISTER WHEN HE WAS A STATE REPRESENTATIVE, AND WHEN HE SUPPORTED A COMMODITIES BASED SEWER RATES.

DOLORES MAIDLOW-KRAMER OF 2806 FOREST RD., PRESIDENT OF THE FOREST RD. COMMUNITY ASSOCIATION, SPOKE IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

LLOYD TEETS OF 116 E. ELM ST. REMINDED THE AUDIENCE THAT ONLY THREE OF THE COUNCILMEMBERS SEATED ON THE Dais TONIGHT VOTED FOR THE STORMWATER ENTERPRISE FUND ORDINANCE. HE THANKED THE DELANEY'S, THE FISER'S, THE LAFFERTY'S, MR. HERNLY, GERALD GRAVES, ALEX BOLT, BRIAN CHAVEZ, AND COUNCILMEMBER LILLY FOR WORKING SO HARD TO GET THIS ORDINANCE REPEALED. HE ACCUSED MAYOR HOLLISTER OF SELLING HIMSELF OUT OVER THIS PROJECT.

CHARLES CHAPMAN OF 816 W. WILLOUGHBY URGED

COUNCILMEMBERS TO LISTEN TO THE PEOPLE WHO PUT THEM IN OFFICE AND REPEAL THIS ORDINANCE.

RANDY BLANKENSHIP OF 3100 S. WASHINGTON SAID THAT HE SUPPORTS THE SEPARATION OF THE CITY'S STORM AND SANITARY SEWER SYSTEMS, BUT HE BELIEVES THAT THE "RAIN TAX" IS THE WRONG SOLUTION TO FUND IT WITH. HE BELIEVES THAT THE COMMODITIES BASED SEWER RATE IS THE BEST OPTION FOR FUNDING. HE CHARACTERIZED GENERAL MOTOR'S STATEMENT THAT THEY WILL BEGIN WATER CONSERVATION EFFORTS IF THE NEW METHODOLOGY IS PASSED, AS THE BEST IDEA THEY HAVE EVER HAD. THE DIVISIONS BETWEEN RESIDENTS AND BUSINESS IN LANSING WERE ALWAYS IN PLACE, HOWEVER, IN THE PAST THEY HAVE ALWAYS FAVORED THE BUSINESS SECTOR.

JOHN CAMPONILE OF 4902 TRESSA DR. SPOKE IN SUPPORT OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. THE FEDERAL GOVERNMENT NEVER SAID THAT THE CITY OF LANSING HAD TO CHARGE IT'S TAXPAYERS A FEE TO SEPARATE THE SEWERS. THE CITY SHOULD HAVE PLACED THE CHARGE ON THE TAX ROLLS SO THAT THE RESIDENTS COULD GET A CREDIT ON THEIR FEDERAL INCOME TAX.

► MAYOR'S COMMENTS ON LEGISLATIVE MATTERS

MAYOR HOLLISTER DISTRIBUTED A LETTER IN RESPONSE TO THE LETTER SENT TO HIMSELF AND ALL COUNCILMEMBERS BY HUGH CLARKE. HE REPORTED THAT HE WAS OUT OF TOWN ON FRIDAY, WHEN THE INCIDENT IN QUESTION OCCURRED AND CHIEF BOLES WAS OUT OF TOWN TODAY, HOWEVER THEY ARE IN THE PROCESS OF RESPONDING TO MR. CLARKE'S COMPLAINT.

COUNCILMEMBER BEAL REPORTED AN INCIDENT BETWEEN HER HUSBAND AND POLICE OFFICERS, IN WHICH THE OFFICERS WERE NOT HELPFUL TO HIM.

COUNCILMEMBER ALLEN SUGGESTED THAT THE BOARD OF POLICE COMMISSIONERS INVESTIGATE MR. CLARKE'S COMPLAINT.

MAYOR HOLLISTER STATED HIS OPPOSITION TO THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. THE CITY IS IN THE PROCESS OF APPOINTING A CONSULTANT TO ANALYZE THE PROJECT. IT IS FISCALLY IRRESPONSIBLE TO REPEAL THIS FUNDING SOURCE WITHOUT AN ALTERNATIVE FUNDING SOURCE IN PLACE AT THE SAME TIME. THE SEWER RATE ISSUE IS A FY 97-98 BUDGET ISSUE. HE DOES NOT COMPREHEND THE URGENCY IN ACTING ON THIS ISSUE TONIGHT. ELECTED OFFICIALS MUST BE FISCALLY RESPONSIBLE AND REPLACEMENT REVENUES MUST BE PROVIDED AT THE TIME THE REPEALER IS ADOPTED. IF THEY ARE GOING TO ADOPT AN ORDINANCE TONIGHT PLACING THE FUNDING ON A COMMODITIES BASED SEWER RATE, THEN THE RATE NEEDS TO BE ESTABLISHED TONIGHT AS WELL. WHICHEVER FUNDING MECHANISM THEY CHOSE, IT MUST BE DONE EQUITABLY. THE AD HOC STORMWATER COMMITTEE LOOKED AT MANY ALTERNATIVE FUNDING SOURCES, BUT THE STORMWATER ENTERPRISE FUND WAS THE MOST EQUITABLE OPTION THEY HAD. THE SEWER RATE METHOD OF FUNDING WILL SHIFT THE BURDEN OF THE SYSTEM ONTO THE RENTERS WHO ARE CURRENTLY NOT PAYING DIRECTLY, BUT WILL BE UNDER THE NEW PLAN. IT ALSO SHIFTS THE BURDEN ON TO

BIG BUSINESS. GENERAL MOTORS HAS NOT SAID THAT THEY WILL LEAVE LANSING IF THIS METHODOLOGY IS PASSED. WHAT THEY HAVE SAID, IS THAT IT IS LIKELY THAT THEY WILL UTILIZE THEIR OWN WATER SYSTEMS WHICH WILL FORCE A GREATER MAJORITY OF COSTS ONTO THE RESIDENTS WHOSE COSTS WILL GO UP BECAUSE OF IT.

THE ACTION BEING CONSIDERED BY COUNCIL TONIGHT IS UNTIMELY. THERE IS NO REPLACEMENT IN PLACE, AND THE PROPOSED REPLACEMENT WILL CREATE WINNERS AND LOSERS. AS OF APRIL 4, 1997 71% OF PEOPLE HAD PAID THEIR STORMWATER ENTERPRISE FUND FEES IN FULL. APPEALS ARE DOWN BY 47%. SO FAR THIS YEAR 272 APPEALS HAVE BEEN FILED AND ARE BEFORE COUNCIL AT THE PRESENT TIME. WE DO NOT NEED THIS FIGHT. IT SENDS THE WRONG SIGNAL TO A LOT OF PEOPLE. HE ASKED FINANCE DIRECTOR, ROBERT SWANSON TO DISTRIBUTE AN ANALYSIS ON THE SHIFT OF COSTS THE PROPOSAL WOULD CAUSE.

## LEGISLATIVE MATTERS RESOLUTIONS

### RESOLUTION #154

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR A CITY PERMIT, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

NOW, THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR A CITY PERMIT FOR:

FIREWORKS DISPLAY PERMIT: NIGHT MAGIC FOR LANSING LUGNUTS, 505 EAST MICHIGAN AVENUE; DISPLAY ON CEDAR ST. SIDE OF OLDSMOBILE PARK, NIGHT OF APRIL 8, 1997,

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

### RESOLUTION #155

BY COUNCILMEMBER HAROLD J. LEEMAN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT II

WHEREAS, PURSUANT TO THE RESOLUTIONS ADOPTED BY THIS COUNCIL ON MARCH 10, 1997 THE DIRECTOR OF PUBLIC SERVICE HAS COMPLETED THE PLANS AND SPECIFICATIONS AND FURNISHED THE FOLLOWING INFORMATION:

PROJECT TITLE: MEL AVENUE RECONSTRUCTION P.S.  
#75118.- MANOR DRIVE TO  
WASHINGTON AVENUE.

PROPERTY BENEFITTED

CURB & GUTTER: ALL LANDS FRONTING ON MEL AVENUE  
FROM 160 FEET EAST OF MANOR

DRIVE TO WASHINGTON AVENUE.

## PROPERTY BENEFITTED

STORM SEWER: ALL LANDS FRONTING ON MEL AVENUE  
FROM 160 FEET EAST OF MANOR  
DRIVE TO 160 FEET WEST OF  
WASHINGTON AVENUE.

## PROPERTY BENEFITTED

SIDEWALK: ALL LANDS FRONTING ON MEL AVENUE  
FROM 160 FEET EAST OF MANOR  
DRIVE TO WASHINGTON AVENUE.

## ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #331	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$23.15	\$28,135.80
STORM SEWER	\$3,798.46	\$67,992.29
SIDEWALK	\$112.94	\$37,364.18
OTHER COSTS	<u>\$91,353.88</u>	<u>\$0.00</u>
TOTAL COSTS	\$95,288.44	\$133,492.27

## SOURCES OF FUNDING IMPROVEMENTS:

	ACCOUNT NUMBER	
CITY SHARE OF C & G	\$23.15	41093369097410043814
CITY SHARE OF STORM SEWER	\$3,798.46	41093369097410043814
CITY SHARE OF SIDEWALK	\$112.94	41093369097410043814
CITY SHARE OF OTHER COST	\$91,353.88	410933690197410043814
ASSESSMENT ROLL # 331	\$133,492.27	40493360197410012067

PROJECT TITLE: WIELAND STREET RECONSTRUCTION  
P.S. #17040.- VERMONT AVENUE TO  
MASSACHUSETTS AVENUE.

## PROPERTY BENEFITTED

CURB & GUTTER: ALL LANDS FRONTING ON WIELAND  
STREET.

## PROPERTY BENEFITTED

SIDEWALK: PARCELS NO. 3301-04-381-121 &  
3301-04-383-002.

## ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #333	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB & GUTTER	\$405.59	\$10,817.70
SIDEWALK	\$0.75	\$948.00
OTHER COSTS	<u>\$58,149.37</u>	<u>\$0.00</u>
TOTAL COSTS	\$58,555.71	\$11,765.70

## SOURCES OF FUNDING IMPROVEMENTS:

	ACCOUNT NUMBER	
CITY SHARE OF CURB	\$405.59	41093369097410043814
CITY SHARE OF SIDEWALK	\$0.75	41093369097410043814
CITY SHARE OF OTHER COST	\$34,401.37	41093369097410043814
CITY SHARE OF OTHER COST	\$23,748.00	59045367097300020100
ASSESSMENT ROLL # 333	\$11,765.70	40493360197410012069

PROJECT TITLE: DORIS STREET RECONSTRUCTION  
P.S. #76034.- SCHAFER ROAD TO  
HILLIARD ROAD.

## PROPERTY BENEFITTED

CURB AND GUTTER: ALL LANDS FRONTING ON DORIS  
STREET.

## PROPERTY BENEFITTED

STORM SEWER: ALL LANDS FRONTING ON DORIS  
STREET.

## ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL # 332	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$379.09	\$8,714.16
STORM SEWER	\$1,575.87	\$27,305.88
OTHER COSTS	<u>\$33,986.65</u>	<u>\$0.00</u>
TOTAL COSTS	\$35,941.61	\$36,020.04

## SOURCES OF FUNDING IMPROVEMENTS:

	ACCOUNT NUMBER	
CITY SHARE OF C & G	\$379.09	41093369097410043814
CITY SHARE OF STORM SEWER	\$1,575.87	41093369097410043814
CITY SHARE OF OTHER COST	\$33,986.65	41093369097410043814
ASSESSMENT ROLL # 332	\$36,020.04	40493360197410012068

PROJECT TITLE: SCHAFER ROAD RECONSTRUCTION P.S.  
#76129.- NORTHRUP STREET TO  
MILLER ROAD.

## PROPERTY BENEFITTED

CURB & GUTTER: ALL LANDS FRONTING ON SCHAFER  
ROAD.

## PROPERTY BENEFITTED

STORM SEWER: ALL LANDS FRONTING ON SCHAFER

ROAD.

## ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #334	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$1,415.87	\$60,808.42
STORM SEWER	\$9,357.46	\$134,057.79
OTHER COSTS	<u>\$181,371.35</u>	<u>\$0.00</u>
TOTAL COSTS	\$192,144.67	\$194,866.21

## SOURCES OF FUNDING IMPROVEMENTS:

	ACCOUNT NUMBER	
CITY SHARE OF C & G	\$1,415.87	41093369097410043814
CITY SHARE OF STORM SEWER	\$9,357.46	41093369097410043814
CITY SHARE OF OTHER COST	\$181,371.35	41093369097410043814
ASSESSMENT ROLL # 334	\$194,866.21	40493360197410012070

PROJECT TITLE: DAVID STREET RECONSTRUCTION P.S. #17038.- VERMONT AVENUE TO NEW YORK AVENUE.

## PROPERTY BENEFITTED

CURB & GUTTER: ALL LANDS FRONTING ON DAVID STREET WEST OF VERMONT AVENUE.

## PROPERTY BENEFITTED

SIDEWALK: PARCELS NO. 3301-10-128-241.

## ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #336	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$1,165.17	\$13,512.37
SIDEWALK	\$1,378.38	\$790.00
OTHER COSTS	<u>\$89,678.30</u>	<u>\$0.00</u>
TOTAL COSTS	\$92,221.85	\$14,302.37

## SOURCES OF FUNDING IMPROVEMENTS:

	ACCOUNT NUMBER	
CITY SHARE OF CURB	\$1,165.17	41093369097410043814
CITY SHARE OF SIDEWALK	\$1,378.38	41093369097410043814
CITY SHARE OF OTHER COST	\$39,840.00	41093369097410043814
CITY SHARE OF OTHER COST	\$49,838.30	59045367097300020100
ASSESSMENT ROLL # 336	\$14,302.37	40493360197410012072

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT THE ABOVE-MENTIONED PLANS, SPECIFICATIONS, ENGINEER'S ESTIMATE, AND OTHER PERTINENT INFORMATION REGARDING THIS PROJECT BE RECEIVED, APPROVED, AND PLACED ON FILE FOR PUBLIC INSPECTION; AND

BE IT FURTHER RESOLVED THE DIRECTOR OF PUBLIC SERVICE IS AUTHORIZED TO OBTAIN THE EASEMENTS REQUIRED FOR THE PROJECT; AND

BE IT FINALLY RESOLVED THE CITY ASSESSOR IS AUTHORIZED TO MAKE SPECIAL ASSESSMENT INSTALLATION ROLLS, BASED UPON THE BIDS TO BE RECEIVED AND OTHER RELATED COSTS OF CONSTRUCTION, AND RETURN THE ROLLS TO THE CITY COUNCIL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #156**

BY COUNCILMEMBER HAROLD J. LEEMAN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT II

WHEREAS, PURSUANT TO THE RESOLUTIONS ADOPTED BY THIS COUNCIL ON MARCH 10, 1997 THE DIRECTOR OF PUBLIC SERVICE HAS COMPLETED THE PLANS AND SPECIFICATIONS AND FURNISHED THE FOLLOWING INFORMATION:

PROJECT TITLE: MT. HOPE AVENUE RECONSTRUCTION P.S. #48022. AURELIUS ROAD TO THE EAST CITY LIMITS.

## PROPERTY BENEFITTED

CURB & GUTTER: ALL LANDS FRONTING ON MT. HOPE AVENUE FROM AURELIUS ROAD EAST TO THE CITY LIMITS, EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

## PROPERTY BENEFITTED

STORM SEWER: ALL LANDS FRONTING ON MT. HOPE AVENUE FROM AURELIUS ROAD EAST TO THE CITY LIMITS, EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

## ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #335	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$96,439.00	\$43,985.20
STORM SEWER	\$230,148.90	\$94,254.00
OTHER COSTS	<u>\$1,134,575.80</u>	<u>\$0.00</u>
TOTAL COSTS	\$1,461,163.70	\$138,239.20

## SOURCES OF FUNDING IMPROVEMENTS:

	ACCOUNT NUMBER	
CITY SHARE OF C & G	\$ 96,439.00	41093369097410050000
CITY SHARE OF STORM SEWER	\$230,148.90	41093369097410050000
CITY SHARE OF OTHER COST	\$1,134,575.80	41093369097410050000
ASSESSMENT ROLL # 335	\$138,239.20	40493360197410025000

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT THE ABOVE-MENTIONED PLANS, SPECIFICATIONS, ENGINEER'S ESTIMATE, AND OTHER PERTINENT INFORMATION REGARDING THIS PROJECT BE RECEIVED, APPROVED, AND PLACED ON FILE FOR PUBLIC INSPECTION; AND

BE IT FURTHER RESOLVED THE DIRECTOR OF PUBLIC SERVICE IS AUTHORIZED TO OBTAIN THE EASEMENTS REQUIRED FOR THE PROJECT; AND

BE IT FINALLY RESOLVED THE CITY ASSESSOR IS AUTHORIZED TO MAKE SPECIAL ASSESSMENT INSTALLATION ROLLS, BASED UPON THE BIDS TO BE RECEIVED AND OTHER RELATED COSTS OF CONSTRUCTION, AND RETURN THE

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #157**

CITY OF LANSING

COUNTIES OF INGHAM AND EATON, MICHIGAN

**RESOLUTION AUTHORIZING CONSTRUCTION OF  
PARKING RAMP ON THE B-1 SITE**

WHEREAS, ON OCTOBER 23, 1989, THE CITY OF LANSING (THE "CITY"), BY RESOLUTION OF ITS CITY COUNCIL (THE "CITY COUNCIL"), AUTHORIZED ACQUISITION OF CERTAIN PROPERTY FOR THE PURPOSE OF CONSTRUCTING AUTOMOBILE PARKING LOTS AND STRUCTURES IN ORDER TO INCREASE THE SUPPLY OF SHORT-TERM CLIENT AND SHOPPER PARKING IN DOWNTOWN LANSING; AND

WHEREAS, ON NOVEMBER 14, 1989 THE CITY AND THE CITY OF LANSING BUILDING AUTHORITY (THE "BUILDING AUTHORITY") EXECUTED A LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATION CONTRACT OF LEASE (THE "CONTRACT") WHICH PROVIDED THAT THE BUILDING AUTHORITY WOULD ACQUIRE AND CONSTRUCT AUTOMOBILE PARKING LOTS AND STRUCTURES AS DETAILED IN THE OCTOBER 23, 1989 CITY COUNCIL RESOLUTION (THE "PROJECT") FOR LEASE BY THE BUILDING AUTHORITY TO THE CITY, AND THAT THE BUILDING AUTHORITY WOULD ISSUE ITS BUILDING AUTHORITY BONDS, SERIES 1990 (THE "1990 BUILDING AUTHORITY BONDS") FOR THE PURPOSE OF FINANCING THE PROJECT; AND

WHEREAS, ON NOVEMBER 16, 1989, THE CITY PUBLISHED A NOTICE OF INTENTION OF ENTERING INTO TAX-SUPPORTED CONTRACT OF LEASE AND OF RIGHT TO PETITION FOR REFERENDUM THEREON (THE "NOTICE") IN THE *LANSING STATE JOURNAL*, AND THE NOTICE STATED THAT THE CONTRACT PROVIDES, AMONG OTHER THINGS, THAT THE BUILDING AUTHORITY WILL BORROW FUNDS THROUGH THE ISSUANCE OF BUILDING AUTHORITY BONDS FOR THE ACQUISITION, CONSTRUCTION, AND EQUIPPING OF AUTOMOBILE PARKING LOTS AND STRUCTURES, AND THAT THE CONTRACT WOULD BECOME EFFECTIVE UNLESS A PETITION FOR REFERENDUM WAS FILED WITH THE CITY CLERK WITHIN 45 DAYS FOLLOWING PUBLICATION OF THE NOTICE; AND

WHEREAS, NO PETITION WAS FILED WITH THE CITY CLERK REQUESTING A REFERENDUM ON ENTERING INTO THE CONTRACT; AND

WHEREAS, THE BUILDING AUTHORITY HAS BEEN PROCEEDING WITH DUE DILIGENCE TO ACQUIRE AND CONSTRUCT THE PROJECT WITH PROCEEDS OF THE 1990 BUILDING AUTHORITY BONDS, BUT THE PROJECT HAS BEEN MODIFIED FROM TIME TO TIME IN ACCORDANCE WITH FREQUENT CHANGES IN THE NEED FOR PARKING IN THE DOWNTOWN AREA;

WHEREAS, ON MAY 2, 1994, HAVING BEEN ADVISED THAT THE CITY COULD SUPPLY SUFFICIENT PARKING TO MEET PARKING REQUIREMENTS IN DOWNTOWN LANSING WITHOUT CONSTRUCTION OF THE PARKING RAMPS DESCRIBED IN THE CONTRACT, THE CITY COUNCIL ADOPTED A RESOLUTION MODIFYING THE SIZE AND SCOPE OF THE PROJECT; AND

WHEREAS, IN ORDER TO REDUCE THE COSTS OF FINANCING THE PROJECT, THE BUILDING AUTHORITY REFUNDED A PORTION OF THE 1990 BUILDING AUTHORITY BONDS WITH A PORTION OF THE PROCEEDS OF ITS BUILDING AUTHORITY AND BUILDING AUTHORITY REFUNDING BONDS, SERIES 1995, DATED AS OF APRIL 15, 1995; AND

WHEREAS, THE CITY'S PUBLIC SERVICE DEPARTMENT HAS ADVISED CITY COUNCIL THAT UPON COMPLETION OF CONSTRUCTION BY LANSING COMMUNITY COLLEGE OF ITS ACADEMIC SERVICES FACILITY AT SHIAWASSEE AND CAPITOL, AND UPON COMPLETION OF OTHER CONSTRUCTION BEING PLANNED IN THE SAME AREA, THE NEED FOR PARKING IN THAT AREA OF DOWNTOWN LANSING WILL BE INCREASED; AND

WHEREAS, CONSTRUCTION OF A PARKING RAMP ON THE B-1 SITE, ONE OF THE TWO PARKING RAMPS DESCRIBED IN THE CONTRACT AS PART OF THE PROJECT, WOULD MEET THE NEED FOR AN INCREASED SUPPLY OF PARKING IN DOWNTOWN LANSING; AND

WHEREAS, THE ESTIMATED COST OF CONSTRUCTING A PARKING RAMP ON THE B-1 SITE IS \$2,600,000; AND

WHEREAS, \$2,529,542 REMAINS AVAILABLE IN THE CONSTRUCTION FUND AS OF JANUARY 31, 1997 FROM THE PROCEEDS FOR THE 1990 BUILDING AUTHORITY BONDS, WHICH COULD BE UTILIZED TO PAY PROJECT COSTS FOR A PARKING RAMP ON THE B-1 SITE.

NOW, THEREFORE, BE IT RESOLVED THAT:

► 1. THE CITY HEREBY DIRECTS THE BUILDING AUTHORITY TO PROCEED TO CONSTRUCT A PARKING RAMP ON THE B-1 SITE FROM ALL OF THE AVAILABLE REMAINING PROCEEDS OF THE 1990 BUILDING AUTHORITY BONDS INCLUDING INTEREST EARNINGS THEREON, AS PROVIDED IN THE CONTRACT AND IN THE NOTICE PUBLISHED BY THE CITY IN THE *LANSING STATE JOURNAL* ON NOVEMBER 16, 1989. THE CITY OF LANSING PARKING SYSTEM FUND IS TO BE RESPONSIBLE FOR AN AMOUNT NOT TO EXCEED \$200,000 FOR THE STRUCTURAL PREMIUMS ASSOCIATED WITH FUTURE DEVELOPMENT OF THE AIR RIGHTS ABOVE THE PARKING RAMP ON THE B-1 SITE, AND THE ADMINISTRATION IS AUTHORIZED TO TRANSFER SUCH MONIES FROM THE CITY OF LANSING PARKING SYSTEM FUND TO THE APPROPRIATE BUILDING AUTHORITY ACCOUNTS.

► 2. THE MAYOR AND CITY CLERK ARE HEREBY AUTHORIZED TO EXECUTE AND DELIVER ANY AGREEMENTS, DOCUMENTS, DEEDS, OR CERTIFICATES NECESSARY TO ACCOMPLISH THE INTENT OF THE CONTRACT OR THIS RESOLUTION, AND TO TAKE ALL OTHER ACTIONS NECESSARY TO ACCOMPLISH THE INTENT OF THE CONTRACT OR THIS RESOLUTION.

► 3. THE PORTION OF THE CITY COUNCIL RESOLUTION ADOPTED MAY 2, 1994 WHICH MODIFIED THE CONTRACT REQUIREMENT THAT THE BUILDING AUTHORITY CONSTRUCT A PARKING RAMP ON THE B-1 SITE, AND ALL OTHER RESOLUTIONS AND PARTS OF RESOLUTIONS, INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION, ARE HEREBY RESCINDED.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND COMPLETE COPY OF A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANSING, MICHIGAN AT A REGULAR MEETING HELD ON APRIL 7, 1997 AT 7:00 O'CLOCK P.M. PREVAILING EASTERN TIME, AND THAT SAID MEETING WAS CONDUCTED AND PUBLIC NOTICE OF SAID MEETING WAS GIVEN PURSUANT TO AND IN FULL COMPLIANCE WITH THE OPEN MEETINGS ACT, BEING ACT 267, PUBLIC ACTS OF MICHIGAN, 1976, AND THAT THE MINUTES OF SAID MEETING WERE KEPT AND WILL BE OR HAVE BEEN MADE AVAILABLE AS REQUIRED BY SAID ACT 267.

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS WERE PRESENT AT SAID MEETING: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY; AND THAT THE FOLLOWING MEMBERS WERE ABSENT: NONE.

I FURTHER CERTIFY THAT MEMBER JONES MOVED FOR ADOPTION OF SAID RESOLUTION.

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS VOTED FOR ADOPTION OF SAID RESOLUTION: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK; AND THAT THE FOLLOWING MEMBERS VOTED AGAINST ADOPTION OF SAID RESOLUTION: NONE

MARILYNN SLADE, CITY CLERK

**RESOLUTION #158**  
BY THE COMMITTEE ON WAYS & MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$15,000	PARKS & RECREATION- WAGES HOURLY 101- 783822-706000-0	PARKS & RECREATION- CONTROL 101-783860- 992200-0
\$15,000	PARKS & RECREATION- CONTROL 101-783860- 992200-0	COMMUNITY SUPPORTED ACTIVITIES CONTROL 101- 834101-992200-0
\$15,000	COMMUNITY SUPPORTED AGENCY-CONTROL 101- 834101-992200-0	RIVERFEST 101-834101-960222-0

(FUNDS FOR CONTRACT WITH RIVERFEST INC., WITH THE CITY OF LANSING. NOTICE IS PROVIDED THAT THE COUNCIL VIEWS THIS AS A ONE TIME APPROPRIATION AND THAT ANY SUBSEQUENT FUNDING SHOULD BE INCLUDED IN THE ANNUAL CITY BUDGET.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$38,680	FORFEITURE FUND-FUND BALANCE 273-0-390001-0	OPERATING TRANSFER-GRANT MATCH 265-343253-991273-0

(PROVIDE ADDITIONAL MATCHING FUNDS FOR COUNTY PROSECUTORS SERVICES.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$400,000	FUND BALANCE-GENERAL FUND 101-0-390001-0	CAPITAL IMP.-CONTROL 101-933901-992200-0
\$400,000	CAPITAL IMP.- CONTROL 101-933901-992200-0	OPER. TRANSFERS 410 FUND 101-966000-991410-0
\$400,000	ESTIMATED REVENUE- INFRASTRUCTURE 410-0- 170001-0	BLDG. MAINT. DIV. PROJ. FY 94 410-933901-975000- 43623

(THE MAYOR'S RECOMMENDED BUDGET PROPOSES \$400,000 FOR PHASE R OF CITY HALL BASEMENT REPAIRS IN FY 98, AND \$1.8 MILLION FOR ROAD MAINTENANCE FROM FY 97 RESIDUALS. KEEPING THE CONTRACTOR ON SITE WOULD SAVE \$30,000 AND ALLOW FOR FASTER COMPLETION OF PROJECT THAN STOPPING AFTER PHASE I AND WAITING UNTIL AFTER JULY 1. THE MAYOR THEREFORE PROPOSES THAT \$400,000 BE USED FOR THE PROJECT FROM GENERAL FUND-FUND BALANCE IN THE CURRENT YEAR, AND RESTORED TO FUND BALANCE AT THE END OF THE YEAR. THE FY 98 MAYOR'S RECOMMENDED BUDGET WOULD SUBSEQUENTLY BE AMENDED BY CITY COUNCIL TO UTILIZE THE \$400,000 BUDGETED FOR THE BASEMENT PROJECT FOR ROAD MAINTENANCE, AND REDUCE THE AMOUNT SHOWN FROM FY 97 YEAR END RESIDUALS. REVENUE DETAIL ACCOUNT 410-0-696101.)



AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1914.81	CSO PHASE I, SEG. I, MISC & OPER. 593- 453682-741000-61100	
\$236,277.69	CSO PHASE I SEG I, LOCAL CONTR. C.O. 593-453682- 973001-61 100	
\$360	CSO PHASE I SEG I SEWERS 593-453682- 973000-61101	
\$238,552.50		OPER. TRANS-214 FUND 593-453683-991414-0
\$238,552.50	EST. REV.-COMBINED SEWER OVERFLOW 414-0- 170001-0	LAND ACQUISITION COSTS 414-453680-971000- 61250

(USE OF PROJECT RESIDUALS FROM INELIGIBLE COSTS IN PHASE I, SEG. I OF CSO PROGRAM TO PURCHASE LAND NECESSARY FOR PHASE H, SEG. 5 OF THE CSO PROJECT. THIS PHASE WILL REPLACE THE LANSING AVE. PUMP STATION, AND CREATE A SANITARY EQUALIZATION BASIN. FUNDS ARE AVAILABLE BECAUSE INELIGIBLE COSTS FOR PHASE I, SEG. I. WERE BELOW ORIGINAL ESTIMATES. THIS IS THE ONLY PHASE OF THE PROJECT WHICH HAS BEEN CLOSED OUT. REVENUE DETAIL ACCOUNT 214-0-696593.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #159**

BY THE WAYS AND MEANS COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE WAYS AND MEANS COMMITTEE, HELD ON APRIL 2, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED A NEW FUNDING SOURCE FOR THE COMBINED SEWER OVERFLOW (CSO) PROGRAM, WHICH IS CURRENTLY BEING FINANCED THROUGH THE STORMWATER ENTERPRISE FUND OR ORDINANCE NO. 925 OF THE CITY OF LANSING CODIFIED ORDINANCES;

WHEREAS, A PUBLIC HEARING WAS SET ON MONDAY, FEBRUARY 10, 1997 FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY REPEALING ORDINANCE #925 ADOPTED ON OCTOBER 9, 1995, WHICH CREATED A STORMWATER ENTERPRISE FUND IN THE CITY OF LANSING TO HELP DEFRAY THE COSTS OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SEWER SYSTEM, AND WHICH PROVIDED FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT THE ENTERPRISE FUND;

WHEREAS, THE COMMITTEE PRESENTLY WISHES TO FORMALLY STATE ITS INTENT AND POSITION TO FUND THE CSO PROGRAM'S OUTSTANDING BONDS BY PLACING THEM ON THE

SEWER RATE METHODOLOGY, AS SET FORTH IN LANSING CODE SECTION 1042.04, AS AMENDED;

NOW THEREFORE, BE IT RESOLVED THAT IT IS THE CITY COUNCIL'S PRESENT INTENT AND POSITION THAT THE FUNDING FOR THE CSO PROGRAM'S OUTSTANDING BONDS BE PLACED ON THE SEWER RATE METHODOLOGY, AS SET FORTH IN THE LANSING CODE SECTION 1042.04, AS AMENDED.

BY COUNCILMEMBER JONES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

**PULLED FROM THE AGENDA AND REFERRED TO THE COMMITTEE OF THE WHOLE AT THE REQUEST OF PRESIDENT BEAL**

BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, IN ACCORDANCE WITH THE CITY CHARTER AND CHAPTER 280 OF THE CITY CODE, THE ELECTED OFFICERS COMPENSATION COMMISSION MET TO REVIEW THE SALARIES OF THE MAYOR, CITY CLERK, AND COUNCILMEMBERS, FILING ITS DETERMINATION WITH THE CITY CLERK ON FRIDAY, MARCH 21, 1997; AND

WHEREAS, THE COMMITTEE OF THE WHOLE REVIEWED THE RECOMMENDATIONS OF THE COMMISSIONS ON SALARY INCREASES FOR CITY ELECTED OFFICIALS; AND

WHEREAS, IT IS THE CITY COUNCIL'S OPTION TO REJECT ALL OR PART OF THE COMMISSION'S RECOMMENDATIONS BY RESOLUTION ADOPTED BY TWO-THIRDS OF THE COUNCILMEMBERS; AND

WHEREAS, ANALYSIS OF THE CITY'S CURRENT AND PROJECTED FINANCIAL CONDITION MAKES IT IMPERATIVE THAT STEPS BE TAKEN TO CONTROL THE EXPENSES OF OPERATING THIS GOVERNMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY REJECTS THE ELECTED OFFICERS COMPENSATION COMMISSION'S SALARY DETERMINATIONS FOR THE MAYOR, CITY CLERK, AND COUNCILMEMBERS AND, THEREFORE, CONTINUE THE CURRENT EXISTING SALARIES OF ALL THE ELECTED OFFICIALS AS PROVIDED IN SECTION 280.10 OF THE LANSING

**RESOLUTION #160**

BY THE COMMITTEE OF THE WHOLE  
SALE OF CITY OWNED PROPERTY  
1300 BLOCK NORTH TURNER STREET  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING DESIRES TO SELL A PARCEL OF PROPERTY LOCATED IN THE 1300 BLOCK OF NORTH TURNER STREET CONTAINING 2.181 ACRES TO THE FERGUSON DEVELOPMENT COMPANY LIMITED LIABILITY

COMPANY FOR THE PURPOSE OF DEVELOPING A FORTY-FOUR (44) UNIT CONDOMINIUM PROJECT; AND

WHEREAS, AN AGREEMENT FOR THE SALE AND DEVELOPMENT OF THE PROPERTY HAS BEEN PREPARED BY THE CITY AND SIGNED BY THE PROSPECTIVE PURCHASER; AND

WHEREAS, THE AGREEMENT FOR THE SALE AND DEVELOPMENT OF THIS PARCEL INCLUDES THE CONSTRUCTION OF FORTY-FOUR (44) SINGLE FAMILY CONDOMINIUM UNITS, A LANDSCAPED PARKING LOT AND SITE AND RELOCATION OF THE EXISTING RIVER TRAIL, ALL OF WHICH WOULD CONTRIBUTE TO THE REVITALIZATION OF OLD TOWN AND ENHANCE THE APPEARANCE OF THE AREA; AND

WHEREAS, THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE ZONING DISTRICT AND THE NORTHEAST MASTER PLAN;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE SALE OF THE REAL PROPERTY LOCATED IN THE 1300 BLOCK OF NORTH TURNER STREET, LEGALLY DESCRIBED AS:

THAT PART OF LOTS 10 THROUGH 13 OF BLOCK 10, LOT 1 OF BLOCK 11, AND VACATED CLINTON STREET, AND VACATED FISH STREET ALL AS SHOWN ON THE TOWN OF MICHIGAN NOW THE ORIGINAL PLAT OF THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 2 OF PLATS, PAGE 36 OF THE INGHAM COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 9, BLOCK 10 OF THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 2 OF PLATS, PAGE 36 OF THE INGHAM COUNTY RECORDS; THENCE S 00 DEGREES 05 MINUTES 28 SECONDS E, 408.76 FEET ALONG THE WESTERLY RIGHT OF WAY LINE OF TURNER STREET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 11 OF SAID ORIGINAL PLAT OF THE CITY OF LANSING; THENCE S 89 DEGREES 26 MINUTES 14 SECONDS W, 153.25 FEET ALONG THE OCCUPIED LINE COMMON TO LOTS 1 AND 2 OF BLOCK 11 OF SAID ORIGINAL PLAT OF THE CITY OF LANSING; THENCE N 07 DEGREES 40 MINUTES 59 SECONDS W, 58.02 FEET; THENCE N 27 DEGREES 44 MINUTES 45 SECONDS W, 192.15 FEET; THENCE N 17 DEGREES 09 MINUTES 18 SECONDS W, 132.98 FEET; THENCE N 33 DEGREES 05 MINUTES 40 SECONDS W, 64.74 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 10, BLOCK 10 OF SAID ORIGINAL PLAT OF THE CITY OF LANSING, THE PRECEDING FOUR COURSES ARE 50 FEET, MORE OR LESS, EASTERLY OF, AND PARALLEL WITH THE EAST OF THE EDGE OF THE GRAND RIVER; THENCE N 89 DEGREES 45 MINUTES 02 SECONDS E, 324.37 FEET ALONG THE LINE COMMON TO LOTS 9 AND 10 OF BLOCK 10 IN SAID CITY OF LANSING TO THE POINT OF BEGINNING; CONTAINING 2.181 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY, TO FERGUSON DEVELOPMENT COMPANY L.L.C., FOR THE TOTAL SUM OF \$1.00 ACCORDING TO THE TERMS OF THE AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND FERGUSON DEVELOPMENT LIMITED LIABILITY

COMPANY SIGNED BY THE PROSPECTIVE PURCHASER APRIL 1, 1997.

BE IT FURTHER RESOLVED THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE SALE, INCLUDING THE AGREEMENT TO SELL WHICH INCLUDES THE DEVELOPMENT PROPOSAL, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #161

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, APRIL 21, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF RECEIVING PUBLIC INPUT CONCERNING THE ANNUAL CONSOLIDATED STRATEGY AND PLAN SUBMISSION AND PROPOSED BUDGET FOR USE OF COMMUNITY DEVELOPMENT FUND RESOURCES FOR FISCAL YEAR 1997-98.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #162

BY COUNCILMEMBER PAUL NOVAK  
RESOLUTION SETTING HEARING DATE  
(PHASE III LANSING  
CONVENTION/EXHIBITION CENTER  
& ASSOCIATED FACILITIES PROJECT  
& PHASE I  
DOWNTOWN AND ENTERTAINMENT DISTRICT  
AND ASSOCIATED FACILITIES PROJECT  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TAX INCREMENT FINANCE AUTHORITY OF THE CITY OF LANSING (THE "AUTHORITY") HAS PREPARED AND RECOMMENDED APPROVAL OF A FOURTH AMENDED DEVELOPMENT PLAN ("FOURTH AMENDED DEVELOPMENT PLAN") FOR THE PHASE II - LANSING CONVENTION/EXHIBITION CENTER AND ASSOCIATED FACILITIES PROJECT AND PHASE I - DOWNTOWN AND ENTERTAINMENT DISTRICT AND ASSOCIATED FACILITIES PROJECT (TOGETHER, THE "PROJECT"), PURSUANT TO SECTION 16 OF PUBLIC ACT 450, MICHIGAN PUBLIC ACTS OF 1980, AS AMENDED (THE "ACT"); AND

WHEREAS, THE AUTHORITY HAS ALSO PREPARED AND RECOMMENDED APPROVAL OF A FOURTH AMENDED TAX INCREMENT FINANCING PLAN (THE "FOURTH AMENDED TAX INCREMENT FINANCING PLAN") FOR THE PROJECT, PURSUANT TO SECTION 13 OF THE ACT; AND

WHEREAS, THIS CITY COUNCIL HAS RECEIVED A DRAFT OF THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH

AMENDED TAX INCREMENT FINANCING PLAN FOR THE PROJECT AND WISHES TO SET A DATE FOR A PUBLIC HEARING ON THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

- ▶ 1. THE PUBLIC HEARING UPON THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN FOR THE PROJECT SHALL BE HELD AT 7:00 P.M., MICHIGAN TIME, ON THE 5TH DAY OF MAY, 1997 IN THE CITY COUNCIL CHAMBERS, 10TH FLOOR, CITY HALL, IN THE CITY OF LANSING, COUNTY OF INGHAM, MICHIGAN. AT THE HEARING, THE CITY COUNCIL OF THE CITY OF LANSING SHALL PROVIDE AN OPPORTUNITY FOR INTERESTED PERSONS TO BE HEARD AND SHALL RECEIVE AND CONSIDER COMMUNICATIONS IN WRITING WITH REFERENCE THERETO. THE HEARING SHALL PROVIDE THE FULLEST OPPORTUNITY FOR THE EXPRESSION OF OPINION, FOR ARGUMENT ON THE MERITS AND FOR INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN. THE CITY COUNCIL SHALL MAKE AND PRESERVE A RECORD OF THE PUBLIC HEARING, INCLUDING ALL DATA PRESENTED AT THE HEARING.
- ▶ 2. THE CITY CLERK IS HEREBY REQUESTED TO PUBLISH AND MAIL NOTICE OF THE HEARING, SUCH NOTICE TO BE IN SUBSTANTIALLY THE FORM ATTACHED HERETO, IN ACCORDANCE WITH SECTION 17 OF THE ACT.
- ▶ 3. THE CITY CLERK IS HEREBY REQUESTED TO INFORM THE INGHAM COUNTY BOARD OF COMMISSIONERS, THE LANSING SCHOOL BOARD, THE LANSING COMMUNITY COLLEGE BOARD OF TRUSTEES, THE CAPITAL AREA TRANSPORTATION AUTHORITY, THE CAPITAL CITY AIRPORT AUTHORITY AND THE INGHAM INTERMEDIATE SCHOOL DISTRICT OF THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN AND THE PUBLIC HEARING THEREON, INCLUDING THE FISCAL AND ECONOMIC IMPLICATIONS OF THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN, SO THAT EACH OF THESE TAXING JURISDICTIONS MAY HAVE THE OPPORTUNITY TO PRESENT THEIR RECOMMENDATIONS AT THE PUBLIC HEARING ON THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN.
- ▶ 4. PURSUANT TO SECTION 20(L) OF THE ACT AND THE FINDING BY THIS COUNCIL THAT THERE ARE LESS THAN 100 PERSONS RESIDING AND/OR TO BE DISPLACED IN THE DEVELOPMENT AREA, A PROJECT CITIZENS DISTRICT COUNCIL IS NOT REQUIRED FOR THE PROJECT, AND THEREFORE SUCH COUNCIL WILL NOT BE FORMED.
- ▶ 5. THE CITY CLERK IS HEREBY REQUESTED TO FORWARD FOUR (4) CERTIFIED COPIES OF THIS RESOLUTION TO THE SECRETARY OF THE AUTHORITY.
- ▶ 6. ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT WITH THIS RESOLUTION ARE HEREBY REPEALED, BUT ONLY TO EXTENT OF SUCH CONFLICT.

BY COUNCILMEMBER NOVAK

CARRIED UNANIMOUSLY

NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF LANSING RELATING TO THE FOURTH AMENDED DEVELOPMENT PLAN AND FOURTH AMENDED TAX INCREMENT FINANCING PLAN OF THE TAX INCREMENT FINANCE AUTHORITY OF THE CITY OF LANSING AND THE PROPOSED ISSUANCE OF BONDS

(PHASE III - LANSING CONVENTION/EXHIBITION CENTER AND ASSOCIATED FACILITIES PROJECT AND PHASE I - DOWNTOWN ENTERTAINMENT DISTRICT AND ASSOCIATED FACILITIES PROJECT)

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF LANSING WILL HOLD A PUBLIC HEARING AT 7:00 P.M. IN CITY COUNCIL CHAMBERS, CITY HALL, LANSING, MICHIGAN ON THE 5TH DAY OF MAY, 1997 ON A FOURTH AMENDED DEVELOPMENT PLAN AND FOURTH AMENDED TAX INCREMENT FINANCING PLAN PREPARED BY THE TAX INCREMENT FINANCE AUTHORITY OF THE CITY OF LANSING FOR ITS PHASE III - LANSING CONVENTION/EXHIBITION CENTER AND ASSOCIATED FACILITIES PROJECT AND PHASE I - DOWNTOWN AND ENTERTAINMENT DISTRICT AND ASSOCIATED FACILITIES PROJECT (TOGETHER, THE "PROJECT").

THE PROJECT IS OR, FOR THE NEW DEVELOPMENT, WILL BE LOCATED IN THE EXISTING DEVELOPMENT AREA, WHICH IS AN AREA BOUNDED BY CAPITOL AVENUE TO THE WEST, KALAMAZOO STREET TO THE SOUTH, CEDAR STREET TO THE EAST AND SHIAWASSEE STREET TO THE NORTH, OR IN A PROPOSED EXPANDED DEVELOPMENT AREA, WHICH IS FROM CEDAR AND SHIAWASSEE EAST TO A BOUNDARY AT THE CONRAIL LINE, SOUTH TO KALAMAZOO STREET, WEST TO LARCH, SOUTH TO THE PROPERTIES SOUTH OF WENDY'S RESTAURANT, WEST ALONG LENAWEE ACROSS THE GRAND RIVER TO WALNUT, NORTH TO KALAMAZOO STREET, EAST TO TOWNSEND STREET, NORTH TO ALLEGAN STREET AND EAST TO CAPITOL AVENUE.

THE PROJECT INCLUDED OR WILL INCLUDE (1) THE CONSTRUCTION AND EXPANSION OF THE LANSING CENTER AND THE DEVELOPMENT OF THE WATERFRONT; (2) THE PAYMENT OF ADMINISTRATIVE COSTS; (3) PAYMENTS AND ADVANCES MADE UNDER A CONTRACT OF LEASE, WHICH LEASED A PORTION OF THE CITY OF LANSING PARKING SYSTEM TO THE AUTHORITY; (4) THE ACQUISITION AND CONSTRUCTION OF PUBLIC PARKING FACILITIES; (5) THE ACQUISITION AND CONSTRUCTION OF A PERFORMING ARTS FACILITY; (6) RENOVATION OF THE LANSING CITY MARKET; (7) THE ACQUISITION AND CONSTRUCTION OF A SPORTS ARENA; AND (8) THE ACQUISITION AND CONSTRUCTION OF A CONSOLIDATED COURT FACILITY. THE PROPOSED NEW PROJECTS WILL BE LOCATED WITHIN THE DEVELOPMENT AREA, AS EXPANDED.

MAPS, PLATS AND A DESCRIPTION OF THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN, INCLUDING THE RELOCATING OF FAMILIES AND INDIVIDUALS WHO MAY BE DISPLACED FROM THE AREA, IF ANY, ARE AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE TAX INCREMENT FINANCE AUTHORITY, 316 NORTH CAPITOL AVENUE, SUITE C-3, LANSING, MICHIGAN. IT IS ANTICIPATED THERE WILL BE NO NEED TO RELOCATE PERSONS AS A RESULT OF THE PROJECT.

ALL ASPECTS OF THE PROPOSED FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN WILL BE OPEN FOR DISCUSSION AT THE PUBLIC HEARING. THE

CITY COUNCIL OF THE CITY OF LANSING SHALL PROVIDE AN OPPORTUNITY FOR INTERESTED PERSONS TO BE HEARD AND SHALL RECEIVE AND CONSIDER COMMUNICATIONS IN WRITING WITH REFERENCE TO THE HEARING. THE HEARING SHALL PROVIDE THE FULLEST OPPORTUNITY FOR EXPRESSION OF OPINION, ARGUMENT ON THE MERITS AND INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE PROPOSED BOND ISSUE AND THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN. CITY COUNCIL OF THE CITY OF LANSING SHALL MAKE AND PRESERVE A RECORD OF THE PUBLIC HEARING, INCLUDING ALL DATA PRESENTED AT THE PUBLIC HEARING.

PUBLISHED AND MAILED TO PROPERTY OWNERS OF RECORD IN THE PHASE III - LANSING CONVENTION/EXHIBITION CENTER AND ASSOCIATED FACILITIES PROJECT AREA AND PHASE I - DOWNTOWN AND ENTERTAINMENT DISTRICT AND ASSOCIATED FACILITIES PROJECT AREA.

MARILYNN SLADE, CITY CLERK

#### RESOLUTION #163

BY THE WAYS AND MEANS COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE WAYS AND MEANS COMMITTEE, HELD ON APRIL 2, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE STATED ITS PRESENT INTENTION AND POSITION TO SET A PUBLIC HEARING TO AMEND THE CURRENT SEWER RATE METHODOLOGY, AS SET FORTH IN LANSING CODE SECTION 1042.04, TO A COMMODITY-USAGE FLAT RATE CHARGE BASIS OF \$4.05 CCF.

NOW THEREFORE, BE IT RESOLVED THAT CITY COUNCIL IS SETTING A PUBLIC HEARING FOR MONDAY, APRIL 21, 1997, AT 7: 00 P. M. , IN THE COUNCIL CHAMBERS, 10TH FLOOR, CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, 48933, TO AMEND THE CURRENT SEWER RATE METHODOLOGY, AS SET FORTH IN LANSING CODE SECTION 1042.04, TO A COMMODITY-USAGE FLAT RATE CHARGE BASIS OF \$4.05 CCF.

BY COUNCILMEMBER JONES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BAUER, BENAVIDES

#### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER JONES

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER JONES

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY

BY THE COMMITTEE ON WAYS AND MEANS

BY COUNCILMEMBER JONES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY REPEALING IN IT'S ENTIRETY, ORDINANCE #925, STORMWATER ENTERPRISE FUND, ADOPTED BY THE CITY COUNCIL ON OCTOBER 9, 1995, WHICH CREATED A STORMWATER ENTERPRISE FUND IN THE CITY OF LANSING TO HELP DEFRAY THE COSTS OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SYSTEM, AND WHICH PROVIDED A METHOD FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT THE ENTERPRISE FUND, BUT PRESERVING ACCRUED RIGHTS AND LIABILITIES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY REPEALING IN IT'S ENTIRETY, ORDINANCE #925, STORMWATER ENTERPRISE FUND, ADOPTED BY THE CITY COUNCIL ON OCTOBER 9, 1995, WHICH CREATED A STORMWATER ENTERPRISE FUND IN THE CITY OF LANSING TO HELP DEFRAY THE COSTS OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SYSTEM, AND WHICH PROVIDED A METHOD FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT THE ENTERPRISE FUND, BUT PRESERVING ACCRUED RIGHTS AND LIABILITIES, BE NOW PASSED.

BY COUNCILMEMBER JONES

TO PLACE AN AFFIRMATIVE ROLL ON THE ORDINANCE

BY COUNCILMEMBER LILLY

TO RECUSE COUNCILMEMBER BENAVIDES FROM CONSIDERATION OF THIS ORDINANCE, THE FOLLOWING ORDINANCE, THE FOLLOWING RESOLUTIONS, AND ANY OTHER VOTES HAVING TO DO WITH THIS SUBJECT IN THE FUTURE, BY REASON OF HIS EMPLOYMENT WITH THE CRISTO REY COMMUNITY CENTER, A FACILITY OF THE CATHOLIC DIOCESE, WHICH HAS EXPRESSED IT'S OBJECTION TO THE STORMWATER ENTERPRISE FUND.

FOLLOWING CONSIDERABLE DISCUSSION COUNCILMEMBER BENAVIDES REQUESTED CLARIFICATION FROM THE CITY ATTORNEY REGARDING THE SUGGESTION THAT HE MAY HAVE A CONFLICT OF INTEREST ON THIS VOTE. CITY ATTORNEY SMIERTKA RESPONDED THAT COUNCILMEMBER BENAVIDES REQUESTED A WRITTEN OPINION FROM HIM AS TO HIS ABILITY TO CONSIDER STORMWATER ENTERPRISE FUND FEE APPEALS AS THE CHAIR OF THE GENERAL SERVICES COMMITTEE. HE ADVISED COUNCILMEMBER BENAVIDES THAT IN THE CASE OF A DIRECT CONFLICT I.E., CONSIDERATION OF AN APPEAL FROM THE CATHOLIC CHURCH, THERE WOULD BE A CONFLICT AND HE SHOULD NOT BE INVOLVED IN THE CONSIDERATION OF

APPEALS TO A GROUP THAT HE IS INVOLVED WITH. ISSUES THAT ARE NOT DIRECT CONFLICTS, ACCORDING TO THE CITY CHARTER AND THE CODE OF ORDINANCES, MUST BE DECIDED BY A VOTE OF COUNCIL WITHOUT THE VOTE OF THE SUBJECT MEMBER. IN SITUATIONS SUCH AS THIS, COUNCIL SHOULD BE GUIDED BY CLEAR CASES, AND WHETHER OR NOT THE ISSUE IS A PERSONAL ONE. THE ATTORNEY GENERAL HAS SAID THAT THE GUIDELINE IS WHETHER OR NOT THERE IS A FIDUCIARY RELATIONSHIP.

COUNCILMEMBER LILLY'S MOTION FOR RECUSAL OF COUNCILMEMBER BENAVIDES FAILED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BEAL, JONES, LILLY

NAYS: COUNCILMEMBERS BAUER, LEEMAN, NOVAK, ALLEN

ABSTAIN: COUNCILMEMBER BENAVIDES

COUNCILMEMBER'S JONES MOTION FOR AFFIRMATIVE ROLL WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

#### ORDINANCE NO. 965

THE CITY OF LANSING ORDAINS:

SECTION 1. EXCEPT AS PROVIDED HEREIN, THAT ORDINANCE No. 925, OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, ENTITLED "STORMWATER ENTERPRISE FUND", ENACTED BY THE COUNCIL ON OCTOBER 9, 1995, IS HEREBY REPEALED IN ITS ENTIRETY AND DECLARED NULL AND VOID AND OF NO EFFECT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED AS OF THE EFFECTIVE DATE OF THIS REPEALING ORDINANCE, AS NOTED IN SECTION 4, EXCEPT AS FOLLOWS:

(A) THE ENACTMENT OF THIS REPEALING ORDINANCE SHALL NOT BE CONSTRUED TO AFFECT A RIGHT OR LIABILITY ACCRUED OR INCURRED PRIOR TO DECEMBER 1, 1997, UNDER ORDINANCE No. 925 OF OCTOBER 9, 1995; NOR SHALL THE ENACTMENT OF THIS REPEALING ORDINANCE AFFECT AN ACTION OR PROCEEDING FOR THE ENFORCEMENT OF ANY SUCH ACCRUED OR INCURRED RIGHT OR LIABILITY. FURTHER, THE ENACTMENT OF THE REPEALING ORDINANCE SHALL NOT BE CONSTRUED TO RELIEVE ANY PERSON FROM PENALTY OR LIABILITY FOR AN ACT OR OMISSION TO ACT, COMMITTED IN VIOLATION OF ORDINANCE No. 925, WHILE SUCH ORDINANCE WAS IN EFFECT.

(B) THAT THE REPEAL OF ORDINANCE No. 925 PROVIDED HEREIN SHALL NOT AFFECT:

(1) THE ISSUANCE AND DELIVERY OF ANY BONDS, OBLIGATIONS OTHER INSTRUMENTS OF INDEBTEDNESS;

(2) THE LEVY OR IMPOSITION OF LIENS, TAXES, ASSESSMENTS OR CHARGES PURSUANT TO ORDINANCE No. 925; AND

(3) THE PROCEDURES AND PROCESSES AS ESTABLISHED IN ORDINANCE No. 925.

SECTION 3. IT IS THE LEGISLATIVE INTENT OF THIS REPEALING ORDINANCE THAT IT BE PROSPECTIVE ONLY, COMMENCING AS OF THE EFFECTIVE DATE, AND THAT IT HAVE NO RETROACTIVE EFFECT WHATSOEVER.

SECTION 4. THIS REPEALING ORDINANCE SHALL TAKE EFFECT ON DECEMBER 1, 1997.

SECTION 5. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS REPEALING ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER JONES:

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER JONES:

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON WAYS AND MEANS:

BY COUNCILMEMBER JONES:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1042, SECTION 1042.04, FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHODOLOGY USED IN ESTABLISHING SEWER RATES AND CHARGES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON WAYS AND MEANS:

BY COUNCILMEMBER JONES:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1042, SECTION 1042.04, FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHODOLOGY USED IN ESTABLISHING SEWER RATES AND CHARGES, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

ABSENT: NONE

#### ORDINANCE NO. 966

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 1042, SECTION 1042.04, OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHODOLOGY USED IN ESTABLISHING SEWER

## RATES AND CHARGES.

## THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 1042, SECTION 1042.04, OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, BE AMENDED TO READ AS FOLLOWS:

## 1042.04 USER CHARGE SYSTEM.

(A) METHOD OF CHARGING. THE RATES AND CHARGES FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM SHALL BE LEVIED UPON EACH LOT OR PARCEL OF LAND, BUILDING OR PREMISES HAVING ANY SEWER CONNECTION WITH THE SYSTEM. THE RATES AND CHARGES SHALL BE BASED ON THE QUANTITY OF WATER USED THEREIN, AS THE SAME IS MEASURED BY METERS THEREIN USED AND/OR THE QUALITY OR STRENGTH OF WATER DISCHARGED, AS SHALL BE DETERMINED BY COUNCIL.

(B) METHOD FOR ESTABLISHING RATES. COUNCIL, AFTER HOLDING A PUBLIC HEARING, SHALL, BY RESOLUTION, SET RATES AND CHARGES PURSUANT TO THE FOLLOWING METHOD AND CATEGORIES OF CHARGES:

(1) COMMODITY CHARGE: A CHARGE PER CCF OF WATER USED AS ESTABLISHED BY METER MEASUREMENTS, FOR THE CITY TO RECOVER THE COST OF TRANSPORTING AND TREATING

SEWAGE, REPLACING EQUIPMENT, OPERATING AND MAINTAINING THE SYSTEM, MAKING CAPITAL IMPROVEMENTS AND SERVICING ALL DEBT OF THE SYSTEM, INCLUDING COST ASSOCIATED WITH TRANSPORTING FLOW VOLUME GENERATED BY INFILTRATION/INFLOW SOURCES. THE UNIT CHARGE SHALL BE THE SAME FOR ALL CUSTOMERS, EXCEPT FOR CUSTOMERS USING SEPARATELY-METERED WATER SPRINKLING LINES, CUSTOMERS USING SEPARATELY-METERED WATER SPRINKLING LINES SHALL BE SUBJECT TO A COUNCIL ESTABLISHED CHARGE PER CCF OF WATER USED THROUGH SUCH METERS.

(2) BILLING AND COLLECTION: A CHARGE PER CUSTOMER PER MONTH TO RECOVER THE COST ASSOCIATED WITH METER READING AND BILLING EXPENSES. A CHARGE PER CUSTOMER PER MONTH OR PER QUARTER TO RECOVER THE COST ASSOCIATED WITH METER READING AND BILLING EXPENSES SHALL BE CHARGED BY WEST SIDE WATER FOR CUSTOMERS IT SERVES.

(3) DELAYED PAYMENT CHARGE: A DELAYED PAYMENT CHARGE EQUAL TO A PERCENTAGE OF THE UNPAID BALANCE OF ANY BILL NOT PAID ON OR BEFORE THE DUE DATE SHOWN THEREON, BUT EXCLUDING ANY OTHER DELAYED PAYMENT CHARGES.

SUCH CHARGES SHALL BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROVIDED FOR THE PAYMENT OF CHARGES FOR WATER USED, EXCEPT IN CASES WHERE THE CHARACTER OF THE SEWAGE FROM A COMMERCIAL, MANUFACTURING OR INDUSTRIAL PLANT, BUILDING OR PREMISES IS SUCH THAT UNREASONABLE ADDITIONAL BURDEN IS PLACED UPON THE SYSTEM GREATER THAN THAT IMPOSED BY THE AVERAGE SEWAGE DELIVERED TO THE SYSTEM PLANT. IN SUCH CASE, THE ADDITIONAL COST OF TREATMENT CREATED THEREBY SHALL BE AN ADDITIONAL CHARGE OVER THE REGULAR RATES SET FORTH IN SUBSECTION (B) HEREOF, OR THE CITY MAY, IF IT DEEMS IT ADVISABLE, COMPEL SUCH COMMERCIAL, MANUFACTURING OR INDUSTRIAL PLANT, BUILDING OR PREMISES TO TREAT SUCH SEWAGE IN SUCH

MANNER AS SPECIFIED BY THE CITY BEFORE DISCHARGING SUCH SEWAGE INTO THE SEWAGE DISPOSAL SYSTEM.

RATES FOR ALL USERS OBTAINING ALL OR PART OF THEIR WATER SUPPLY FROM SOURCES OTHER THAN THE CITY'S WATER SYSTEM MAY BE DETERMINED BY GAUGING OR METERING THE ACTUAL SEWAGE ENTERING THE SYSTEM OR BY METERING THE WATER USED, IN A MANNER ACCEPTABLE TO COUNCIL. THE COMMODITY CHARGE FOR RESIDENT USERS SHALL BE COMPUTED ON THE BASIS OF 700 CUBIC FEET PER MONTH PER CUSTOMER, WHERE GAUGING OR METERING IS NOT PRACTICAL.

COUNCIL MAY CLASSIFY THE USERS OF THE SYSTEM ACCORDING TO THE QUANTITY AND USE OF THE WATER USED, AND THE QUALITY OF THE DISCHARGE, AND CHARGE SUCH RATES TO USERS IN EACH CLASS AS IT MAY DEEM REASONABLE.

(C) EFFECTIVE DATE: THE RATES SET FORTH IN THIS SECTION SHALL BE EFFECTIVE ON JULY 1, 1997, EXCEPT AS OTHERWISE PROVIDED. A BILLING COVERING USE OF THE SYSTEM BEFORE AND AFTER THE EFFECTIVE DATE OF A RATE CHANGE SHALL BE PRORATED, BASED UPON THE AVERAGE USE PER DAY AND THE NUMBER OF DAYS WITHIN SUCH BILLING PERIOD, AT THE RATE THEN IN EFFECT.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

**OTHER BUSINESS**

BY COUNCILMEMBER LEEMAN

TO ESTABLISH AN AD HOC COMMITTEE ON PERSONNEL AND PERSONNEL ISSUES.

CARRIED UNANIMOUSLY

COUNCIL PRESIDENT BEAL APPOINTED THE FOLLOWING COUNCILMEMBERS TO THE AD HOC COMMITTEE ON PERSONNEL AND PERSONNEL ISSUES: COUNCILMEMBER LEEMAN, COUNCILMEMBER BAUER, COUNCILMEMBER BENAVIDES, COUNCILMEMBER BEAL, AND EX-OFFICIO STAFF MEMBER FRAN KNOT.

► PUBLIC COMMENT ON CITY MATTERS

MELANIE ROGERS OF 4209 W. WILLOW STATED HER SUPPORT OF THE REPEAL OF ORDINANCE #925. SHE SPOKE REGARDING THE POLICIES AND PROCEDURES OF THE BUILDING SAFETY DIVISION. SHE FEELS THAT THERE ARE TWO SETS OF CRITERIA; ONE FOR OWNER OCCUPIED

STRUCTURES, AND ONE FOR RENTAL UNITS, AND IF YOU ARE TRYING TO MAKE IMPROVEMENTS TO YOUR PROPERTY, IT IS TO YOUR ADVANTAGE TO BE AN ABSENTEE LANDLORD RATHER THAN AN OWNER-RESIDENT.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. COMMENDED COUNCIL FOR THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. THE CITY OF LANSING NEEDS HEALING. IT IS NOW TIME FOR JUSTICE FOR MINORITIES IN LANSING, AND FOR SOME WHITE RESIDENTS. HE URGED COUNCIL TO ASSIST IN THE FORMULATION OF A CITIZENS REVIEW BOARD. WE NEED TO ERADICATE RACISM AND REPRESSION OF ALL PEOPLE.

DARNELL OLDHAM, SR. OF 3815 BERWICK CLAIMED THAT POLICE HARASSMENT, BRUTALITY, AND DEHUMANIZATION ARE RAMPANT IN LANSING.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE SERVED ON THE AD HOC STORMWATER COMMITTEE, AND IT WAS NOT REPRESENTATIVE OF THE COMMUNITY.

AMMAHAD SHEKARAKKI OF 902 W. WILLOW INVITED EVERYONE TO ATTEND THE SECOND MARCH FOR JUSTICE TO BE HELD ON APRIL 26, 1997, BEGINNING AT 9:00 A.M. AT SEXTON HIGH SCHOOL. THEY WILL MARCH TO THE CAPITAL. HE STATED THAT THE MEMBERS AND SUPPORTERS OF THE MARCH FOR JUSTICE WILL BOYCOTT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE BECAUSE THEY HAVE A PROBLEM WITH THE DATE, AND ALSO, BECAUSE THEIR ISSUES WILL NOT BE UNDER DISCUSSION.

ALBERTA JORDAN, NO ADDRESS GIVEN, URGED THE PUBLIC TO ATTEND THE SECOND MARCH FOR JUSTICE TO BE HELD ON APRIL 26, 1997, AT 9:00 A.M. AT SEXTON HIGH. SHE ADVISED COUNCILMEMBERS TO STOP PLAYING GAMES WITH THE PUBLIC.

KEN RIEBOW OF 2018 PLEASANT VIEW SPOKE REGARDING HIS STORMWATER ENTERPRISE FUND FEE APPEAL. HE BELIEVES THAT HE IS DESERVING OF A REFUND. HE HAS ALREADY PAID FOR THE SEPARATION OF HIS SEWERS. HE SHOULD NOT HAVE TO PAY TO USE HIS OWN SEWER.

CHALRES CHAPMAN OF 816 W. WILLOUGHBY THANKED COUNCIL FOR THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

DOLORES MAIDLOW-KRAMER OF 2806 FOREST RD., PRESIDENT OF THE FOREST ROAD NEIGHBORHOOD ORGANIZATION, THANKED THE COUNCILMEMBERS THAT VOTED TO REPEAL THE STORMWATER ENTERPRISE FUND ORDINANCE. COUNCILMEMBERS, SHE SAID, NEED STAFF MEMBERS TO DO RESEARCH FOR THEM.

HELEN FISER OF 12100 S. CORK IN MORRICE APOLOGIZED TO PRESIDENT BEAL FOR THE MIS-CONDUCT OF AUDIENCE MEMBERS TONIGHT. SHE CAUTIONED MAYOR HOLLISTER NOT TO VETO THESE ORDINANCES, IF HE WANTS TO BE RE-ELECTED.

RICHARD FISER OF 12100 S. CORD RD. IN MORRICE SAID THAT WHEN THEY WANTED TO DRILL ANOTHER WELL ON THEIR PROPERTY THEY WERE NOT ALLOWED TO DO SO. WHY IS IT

THAT GENERAL MOTORS CAN DRILL A NEW WELL.

JOHN CAMPONILE OF 4902 TRESSA DR. SAID THAT THE BOARD OF WATER & LIGHT IS NOT AN ENTITY TO BE IGNORED. THEIR EXCESS PROFITS AND SURPLUS INCOME IS BETWEEN \$50,000,000 AND \$70,000,000 PER YEAR. THEY COULD EASILY FUND THE SEWER SEPARATION PROJECT.

REVEREND LESTER STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH, SPEAKING ON BEHALF OF THE MARCH FOR JUSTICE, INVITED COUNCILMEMBERS, MAYOR HOLLISTER AND HIS STAFF, AND THE POLICE DEPARTMENT TO JOIN THE SECOND MARCH FOR JUSTICE ON APRIL 26, 1997 AT 9:30 A.M. AT SEXTON HIGH SCHOOL. THEY ARE ADVOCATING A BOYCOTT OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE SCHEDULED FOR MAY 31, 1997, BECAUSE IT WAS PLANNED BY THE HOLLISTER ADMINISTRATION WITH DECEPTION AND DISHONOR.

LINDA KEEFE OF 2930 WOODRUFF AVE. THANKED COUNCILMEMBERS FOR PROMOTING EQUITY AND FAIRNESS DURING FAIR HOUSING MONTH BY REPEALING THE STORMWATER ENTERPRISE FUND ORDINANCE. SHE COMMENDED THE DELANEYS', THE FISERS' AND WALT JONES FOR THEIR WORK ON THIS ISSUE.

LEROY MCKNIGHT OF 3018 HOLIDAY LN., REPRESENTING GENERAL MOTORS, SAID THAT WHEN HE RETURNED TO THE COMMUNITY HE GREW UP IN IT WAS CLOSED. IT WAS ALL BUT DESTROYED. SMALL BUSINESSES WERE BOARDED UP, HOUSES WERE BOARDED UP, OR, GONE. EVERYONE HAD MOVED OUT. THIS IS A DESCRIPTION OF YOUNGSTOWN, OH TODAY. LANSING ENJOYS ONE THING THAT LOTS OF OTHER CITIES DO NOT, AND THAT IS LOW UTILITY RATES. HE COMMENDED COUNCILMEMBER NOVAK FOR THE WORK HE HAS DONE ON THE STORMWATER ENTERPRISE ORDINANCE, AND EXPRESSED HIS HOPE THAT THIS POLITICAL VOTE TAKEN TONIGHT DOES NOT DESTROY THIS CITY.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #164

#### REPORT OF COMMITTEE

THE COMMITTEE ON WAYS AND MEANS, TO WHOM WAS REFERRED AN ORDINANCE, REPEALING IN ITS ENTIRETY, ORDINANCE NUMBER 925, ENTITLED "STORMWATER ENTERPRISE FUND", ENACTED BY THE CITY COUNCIL ON OCTOBER 9, 1995, WHICH CREATED A STORMWATER ENTERPRISE FUND IN THE CITY OF LANSING TO HELP DEFRAY THE COSTS OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SYSTEM, AND WHICH PROVIDED A METHOD FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT THE ENTERPRISE FUND, BUT PRESERVING ACCRUED RIGHTS AND LIABILITIES;

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REPEALER ORDINANCE BE APPROVED AS FILED AND ADOPTED.

SIGNED: HOWARD JONES, CHAIRPERSON  
RICK LILLY  
ELLEN BEAL

BY COUNCILMEMBER JONES

THAT THE REPORT OF THE COMMITTEE BE APPROVED.

CARRIED UNANIMOUSLY

**RESOLUTION # 165**  
REPORT OF COMMITTEE

THE COMMITTEE ON WAYS AND MEANS, TO WHOM WAS REFERRED THE ORDINANCE TO AMEND CHAPTER 1042, SECTION 1042.04, OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHODOLOGY USED IN ESTABLISHING SEWER RATES AND CHARGES,

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE AMENDMENTS TO THE ORDINANCE BE APPROVED AS FILED AND ADOPTED.

SIGNED: HOWARD JONES, CHAIRPERSON  
RICK LILLY  
ELLEN BEAL

BY COUNCILMEMBER JONES

THAT THE REPORT OF THE COMMITTEE BE APPROVED.

CARRIED UNANIMOUSLY

**CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

FIREWORKS DISPLAY PERMIT:

NIGHT MAGIC FOR AN EVENT AT OLDSMOBILE PARK ON APRIL 8, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE CITY ATTORNEY RE: THE ERECTION OF BARRICADES AT THE ACTION AUTO PROPERTY LOCATED AT 1000 E. MT. HOPE

RECEIVED AND PLACED ON FILE

4. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: POLICE DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. CSO PROJECT PLAN AMENDMENT # 1

REFERRED TO THE COMMITTEE ON WAYS AND MEANS  
C. LANSING HOME OWNERSHIP PROGRAM FOR EMPLOYEES (L-HOPE) UPDATE

RECEIVED AND PLACED ON FILE

D. EMPLOYEE TRAINING CLASSES HELD, OR SCHEDULED TO BE HELD IN THE CURRENT FISCAL YEAR

RECEIVED AND PLACED ON FILE

E. RESTRUCTURING OF THE COMMUNITY GROWTH ALLIANCE INTO A NON-PROFIT CORPORATION, THE REGIONAL ECONOMIC DEVELOPMENT TEAM, INC. (REDT)

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

F. CREATION OF A BROWNFIELD REDEVELOPMENT AUTHORITY FOR REHABILITATION OF ENVIRONMENTALLY SENSITIVE PROPERTIES

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

G. NOTICE OF AWARD; PUBLIC SERVICE DEPARTMENT - QUALIFICATION BASED SELECTION AWARD (QBS)

RECEIVED AND PLACED ON FILE

H. RECOMMENDATIONS FROM THE PUBLIC SERVICE BOARD RE: NPDES PERMIT AND THE STORMWATER ENTERPRISE FUND

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PUBLIC SERVICE

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. CLAIM APPEAL FROM THE BENCHMARK MORTGAGE CORPORATION FOR A SPECIAL ASSESSMENT FOR THE BOARD-UP OF 4918 DELBROOK AVE.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF APPLICATION FOR A PERMIT FOR CONSTRUCTION OF A CONTROLLED SPILLING IN THE SYCAMORE CREEK AND MAPLEWOOD LAKE BY THE INGHAM COUNTY PARKS DEPARTMENT

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

3. Z-08-97, 3500 N. MARTIN LUTHER KING, JR. BLVD., PETITION FOR REZONING FROM "A" RESIDENTIAL TO "H" LIGHT INDUSTRIAL DISTRICT FILED BY MICHIGAN BIOLOGIC



PRODUCTS COMMISSION TO ALLOW FOR THE SALE OF THE PROPERTY TO PRIVATE OWNERS AND TO ALLOW FOR CONTINUED USE AS AN INSTITUTE FOR THE MANUFACTURE OF HUMAN AND ANIMAL VACCINE PRODUCTS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

4. CLAIM APPEAL FILED BY NOLAND LANGFORD OF 1127 AUBURN LANE IN BUFFALO GROVE, IL FOR PROPERTY LOCATED AT 533 CLIFFORD

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5. CLAIM APPEAL FILED BY ATTORNEYS ON BEHALF OF MILDRED ROBERTS OF 3715 GLENBROOK DR.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. LETTER FROM JAMES M. PANETTA OF 707 SEYMOUR AVE. REGARDING THE NEED FOR ANIMAL CONTROL ORDINANCES WITHIN THE CITY

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON PUBLIC SAFETY

7. LETTER FROM SPARROW HOSPITAL REGARDING THE STATUS OF THE SPARROW PROFESSIONAL BUILDING PROJECT

REFERRED TO THE COMMITTEE OF THE WHOLE

8. 1 LETTER, 4 POSTCARDS, AND 22 PETITION SIGNATURES SUPPORTING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

RECEIVED AND PLACED ON FILE

9. LETTER FROM MR. & MRS. RALPH CRAFT OF DURWELL DR. IN OPPOSITION TO THE PROPOSAL FOR A PAYMENT IN LIEU OF TAXES (PILOT) FOR SILVERSTONE L.D.H.A.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10. LETTERS IN OPPOSITION TO THE REPEAL OF ORDINANCE #925 (STORMWATER ENTERPRISE FUND ORDINANCE) FROM: CORBIN J. ROY OF 2617 WOODRUFF; LYNNE DECATOR 1124 DOWNER; RODIVILLE MORRIS 2714 BELAIRE; PAM WILKES 735 VANCE ST.

RECEIVED AND PLACED ON FILE

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER JONES ANNOUNCED THE CANCELLATION OF THIS WEEKS WAYS AND MEANS COMMITTEE MEETING. HE ANNOUNCED THAT THE ACTION AUTO STRUCTURE ON E. MICHIGAN AVE. HAS BEEN DEMOLISHED BY THE OWNER.

COUNCILMEMBER ALLEN CONFIRMED A MEETING OF THE PUBLIC SAFETY COMMITTEE ON TUESDAY, APRIL 8, 1997 AT 5:30 P.M. TO DISCUSS THE MARCH FOR JUSTICE ISSUES.

COUNCILMEMBER BAUER ANNOUNCED A MEETING OF THE

INTERGOVERNMENTAL RELATIONS COMMITTEE THIS THURSDAY AT 8:15 A.M.

COUNCILMEMBER BEAL URGED THE MEMBERS OF THE NEWLY APPOINTED PERSONNEL COMMITTEE TO GET TOGETHER AND SET A MEETING DATE.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER SPOKE REGARDING THE STORMWATER ENTERPRISE FUND ISSUE, SAYING, THAT IT IS IMPORTANT FOR EVERYONE TO REMEMBER THAT THERE ARE TWO SIDES TO EVERY ISSUE. THIS IS NO EASY DECISION, THERE WILL ALWAYS BE WINNERS AND LOSERS. MAYOR HOLLISTER REPRESENTS ALL CITIZENS IN THE ENTIRE COMMUNITY, AND MUST LOOK TO THE BENEFIT OF ALL OF THEM AND TO THE GOOD OF THE CITY.

HE SAID THAT THE PURPOSE OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE IS TO WORK TOGETHER FOR BETTER UNDERSTANDING, AND TO BUILD A COMMUNITY THAT CAN WORK TOGETHER, TALK TOGETHER AND PROMOTE UNDERSTANDING.

**ADJOURNED 11:00 P.M.  
MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS APRIL 14, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS BAUER, BEAL,  
BENAVIDES JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: COUNCILMEMBER ALLEN

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE  
LED BY COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER BENAVIDES

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
THE SPECIAL MEETING HELD ON APRIL 1, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER LILLY; A RESOLUTION OF  
TRIBUTE HONORING JACKIE ROBINSON

2. FROM COUNCILMEMBER LEEMAN; A RESOLUTION OF  
TRIBUTE HONORING SUSAN CHRISTIAN

3. FROM COUNCILMEMBER BAUER; A RESOLUTION OF  
TRIBUTE IN HONOR OF NATIONAL VOLUNTEER WEEK AND  
A REQUEST FOR THE ADDITION OF A SPECIAL  
CEREMONY TO THE AGENDA FOR PRESENTATION OF THE  
RESOLUTION

4. FROM COUNCILMEMBER JONES; A REQUEST FOR  
THE ADDITION OF A SPECIAL CEREMONY FOR SPECIAL  
RECOGNITION OF JOSE GODINESS AND HIS  
CHAMPIONSHIP BOXING MATCH LAST SATURDAY.

5. FROM COUNCILMEMBER LEEMAN; A LETTER  
REGARDING THE CHURCH OF CHRIST ON HOLMES ST.

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE  
PORTION OF THE REGULAR MEETING TO WHICH  
THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► SPECIAL CEREMONIES

A. COUNCILMEMBER BENAVIDES PRESENTED A  
RESOLUTION OF TRIBUTE TO JOHN HOPKINS OF BOY  
SCOUT TROOP #7 IN RECOGNITION OF HIS  
ACHIEVEMENT OF THE RANK OF EAGLE SCOUT.

B. COUNCILMEMBER JONES INTRODUCED JOSE  
GODINESS, CITY COUNCIL'S CO-OP STUDENT, AND  
CONGRATULATED HIM ON HIS EXCELLENT BOXING  
SEASON. JOSE WON THE STATE CHAMPIONSHIP IN HIS  
WEIGHT DIVISION OF THE GOLDEN GLOVES.

C. COUNCILMEMBER BAUER PRESENTED A  
RESOLUTION OF TRIBUTE IN HONOR OF NATIONAL  
VOLUNTEERS WEEK TO BRAD JOHNSON, EXECUTIVE  
DIRECTOR OF THE MID-MICHIGAN FOUNDATION.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC HEARINGS

1. TO CONSIDER THE ISSUANCE OF ORDERS FOR  
MAKE-SAFE OR DEMOLISH TO THE OWNERS OF  
PROPERTY LOCATED AT:

-616 S. FAIRVIEW  
-528 AVON  
-317 S. PENNSYLVANIA  
-1621 LYONS

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE  
DRIVES BY AND INSPECTS THE HOUSES THAT ARE  
SCHEDULED FOR PUBLIC HEARINGS FOR DEMOLISH OR  
MAKE-SAFE PROCEEDINGS. THE HOUSE AT 317 S.  
PENNSYLVANIA HAS HAD A SIGNIFICANT AMOUNT OF  
WORK DONE ON IT. BOTH THE OUTSIDE AND INSIDE  
HAVE BEEN RENOVATED AND THIS HOUSE SHOULD NOT  
BE IN DEMOLISH OR MAKE-SAFE PROCEEDINGS ANY  
LONGER.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

► LEGISLATIVE MATTERS

LLOYD TEETS OF 116 E. ELM ST. URGED  
COUNCILMEMBERS TO REJECT THE RECOMMENDATIONS

OF THE ELECTED OFFICERS COMPENSATION COMMISSION (EOCC). THE LAST TIME THIS COMMITTEE CONVENED THEY GAVE THE MAYOR A \$15,000 RAISE, WHILE COUNCILMEMBERS GOT \$1,000. THIS TIME AROUND, THEY WANT TO GIVE THE MAYOR ANOTHER \$3,000 AND COUNCILMEMBERS ONLY \$1,000. HE SUPPORTS THE CONCEPT OF ALLOWING COUNCILMEMBERS TO SET THEIR OWN SALARY. THEY WOULD STILL RECEIVE PUBLIC INPUT.

ELLIOTT GLICKSMAN OF 1825 VASSAR DR., MEMBER OF THE PUBLIC, PROFESSOR OF LAW, MEMBER AND CHAIRMAN OF THE EOCC, SAID THAT THE MEMBERS OF THIS COMMITTEE ARE ALSO MEMBERS OF THE PUBLIC. THEY ARE NOMINATED BY THE MAYOR AND APPROVED BY COUNCIL. ADDITIONALLY, THEY ARE CONVENED BY COUNCIL. IT WOULD BE LEGAL FOR COUNCILMEMBERS TO SET THEIR OWN SALARIES, HOWEVER, IT HAS BEEN DONE THROUGH THE EOCC FOR MANY YEARS. APPARENTLY THIS IS HOW THE CITIZENS OF LANSING WANT IT, BECAUSE IT IS A PROVISION OF THE CITY CHARTER THAT WAS APPROVED BY THE ELECTORATE. HE TOOK EXCEPTION TO STATEMENTS MADE BY MR. TEETS. AT LEAST ONE COUNCILMEMBER SUGGESTED TO THE COMMISSION THAT THEY, BY SALARY DECISIONS, CHANGE THE CITY CHARTER BY MAKING THE MEMBERS OF CITY COUNCIL FULL TIME EMPLOYEES BY PAYING THEM AT FULL TIME RATES.

MARSHALL TAPLIN OF 4161 WOODCREEK SAID THAT HE DOES NOT MIND COUNCILMEMBERS ASKING FOR A RAISE, BUT THEY ASK FOR SO MUCH OF A RAISE. HE BELIEVES THAT COUNCILMEMBERS SHOULD BE FULL-TIME. THEY SIT UP HERE MESSING UP ENOUGH MONEY TO MAKE THE JOB DESERVING OF FULL-TIME STATUS.

DARNELL OLDHAM, SR. OF 3815 BERWICK SAID THAT HE IS APPALLED THAT ANYONE WOULD VOTE FOR THE MAYOR TO GET AN INCREASE IN PAY. HE STATED HIS BELIEF THAT A GRASS ROOTS MOVEMENT WILL DEFEAT THE MAYOR'S BID FOR REELECTION. HE ACCUSED THE MAYOR OF SPENDING \$18,000,000 ON PUBLIC RELATIONS FIRMS.

WILLIAM HUBBELL OF 3916 WEDGEWOOD SAID THAT HE BELIEVES THAT COUNCILMEMBERS SHOULD REMAIN ON A PART-TIME BASIS. THE PUBLIC, HE SAID, EXPECTS COUNCILMEMBERS TO PUT IN ABOUT 20 HOURS PER WEEK. HE DOES NOT BELIEVE THAT THERE SHOULD BE SUCH A LARGE DIFFERENTIAL BETWEEN THE MAYOR'S SALARY AND COUNCILMEMBER'S SALARIES.

## LEGISLATIVE MATTERS

### RESOLUTIONS

#### RESOLUTION #166

BY COUNCILMEMBER BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, JOHN D. HOPKINS II RECENTLY EARNED

THE RANK OF EAGLE SCOUT, A RANK CHARACTERIZED BY INTEGRITY AND INDIVIDUALISM, AND ACHIEVED BY FEWER THAN TWO PERCENT OF ALL PARTICIPATING BOY SCOUTS; AND

WHEREAS, JOHN'S EAGLE SCOUT PROJECT INVOLVED REBUILDING THE SHELTER IN FENNER ARBORETUM INCLUDING NEW RAFTERS, ROOF DECK AND SHINGLES, INSTALLING NEW BENCHES AROUND THE FIRE PIT, INSTALLING UNDERGROUND FLAG-HOLDERS AS-WELL-AS SUCCESSFULLY ACQUIRING THE NECESSARY DONATED MATERIALS FROM AREA BUSINESSES TO COMPLETE THE PROJECT; AND

WHEREAS, JOHN'S OTHER SCOUTING ACHIEVEMENTS INCLUDE EARNING THE POSITIONS OF JUNIOR ASSISTANT SCOUTMASTER, SENIOR PATROL LEADER, TROOP GUIDE AND PATROL LEADER, AND HE HAS ALSO RECEIVED THE GOD AND COUNTRY AWARD, AND THE GOD AND ME AWARD, BOTH OF WHICH ARE JOINT CHURCH/BOY SCOUT AWARDS; AND

WHEREAS, PERHAPS JOHN'S MOST SHINING MOMENT OCCURRED WHEN, WITHOUT REGARD FOR PERSONAL SAFETY, HE RESCUED HIS BROTHER AND SISTER FROM THEIR BURNING HOME, CARRYING THEM FROM UPPER FLOORS THROUGH SMOKE FILLED ROOMS TO SAFETY OUTSIDE.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 14TH DAY OF APRIL, 1997, HEREBY RECOGNIZES AND COMMENDS JOHN D. HOPKINS ON HIS OUTSTANDING CITIZENSHIP AND COMMUNITY SERVICE; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL OFFERS THEIR HEARTFELT BEST WISHES TO JOHN FOR BOTH HAPPINESS AND SUCCESS IN ALL FUTURE ENDEAVORS UPON HIS GRADUATION FROM LANSING EASTERN HIGH SCHOOL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #167

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE OLD-TIMER'S BASEBALL ASSOCIATION FOR THE USE OF THE OLDSMOBILE PARK ON SUNDAY, JUNE 22, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$1,000.00 TO ACCOUNT #101-173901-741200-0, FOR LANSING CENTER RENTAL COSTS FOR THE OLD TIMERS ASSOCIATION'S USE OF OLDSMOBILE PARK ON JUNE 22, 1997.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #168**

BY THE COMMITTEE OF THE WHOLE  
BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, IN ACCORDANCE WITH THE CITY CHARTER AND CHAPTER 280 OF THE CITY CODE, THE ELECTED OFFICERS COMPENSATION COMMISSION MET TO REVIEW THE SALARIES OF THE MAYOR, CITY CLERK, AND COUNCILMEMBERS, FILING ITS DETERMINATION WITH THE CITY CLERK ON FRIDAY, MARCH 21, 1997; AND

WHEREAS, THE COMMITTEE OF THE WHOLE REVIEWED THE RECOMMENDATIONS OF THE COMMISSIONS ON SALARY INCREASES FOR CITY ELECTED OFFICIALS; AND

WHEREAS, IT IS THE CITY COUNCIL'S OPTION TO REJECT ALL OR PART OF THE COMMISSION'S RECOMMENDATIONS BY RESOLUTION ADOPTED BY TWO-THIRDS OF THE COUNCILMEMBERS; AND

WHEREAS, ANALYSIS OF THE CITY'S CURRENT AND PROJECTED FINANCIAL CONDITION MAKES IT IMPERATIVE THAT STEPS BE TAKEN TO CONTROL THE EXPENSES OF OPERATING THIS GOVERNMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY REJECTS THE ELECTED OFFICERS COMPENSATION COMMISSION'S SALARY DETERMINATIONS FOR THE MAYOR, CITY CLERK, AND COUNCILMEMBERS AND, THEREFORE, CONTINUE THE CURRENT EXISTING SALARIES OF ALL THE ELECTED OFFICIALS AS PROVIDED IN SECTION 280.10 OF THE LANSING CODE.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #169**

BY COUNCILMEMBER LEEMAN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, SUSAN CHRISTIAN, A LONG-TIME LANSING RESIDENT, WILL SOON BE MOVING TO NEW YORK, N.Y., LEAVING LANSING AFTER A LONG AND DISTINGUISHED RECORD OF ACTIVELY PROMOTING AND PARTICIPATING IN

THE DEVELOPMENT OF AFFORDABLE HOUSING AND NEIGHBORHOOD REVITALIZATION ACTIVITIES; AND

WHEREAS, SUE WAS INSTRUMENTAL IN BRINGING THE MAIN STREET INITIATIVE TO LANSING, ONE OF ONLY SIX SUCH PROGRAMS NATION-WIDE, AND ONE THAT WILL FOCUS ON REVIVING HISTORIC OLD TOWN IN NORTH LANSING THROUGH THE GENERATION OF APPROXIMATELY \$600,000 IN NEW INVESTMENT; AND

WHEREAS, SUE SPEARHEADED THE HOME OWNERSHIP TASK FORCE, A COLLABORATIVE EFFORT INVOLVING LENDERS, REALTORS, NEIGHBORHOODS, HOUSING REHABILITATORS, AND SCHOOL DISTRICT PERSONNEL THAT HAS RESULTED IN THE LANSING NEIGHBORHOOD TROLLEY TOUR AND RENEWED RECOGNITION OF, AND INTEREST IN, HOME OWNERSHIP OPPORTUNITIES IN LANSING; AND

WHEREAS, IN ADDITION TO THE ACHIEVEMENTS LISTED ABOVE, SUE HAS ALSO SERVED LANSING RESIDENTS AS A BOARD MEMBER OF THE EAST SIDE NEIGHBORHOOD ORGANIZATION, DIRECTOR OF THE LANSING NEIGHBORHOOD COUNCIL IN 1983-84, AS CO-FOUNDER OF THE COMMUNITY RESEARCH AND EDUCATION CENTER, AND THROUGH HER WORK WITH THE LOCAL INITIATIVES SUPPORT CORPORATION.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 14TH DAY OF APRIL, 1997, HEREBY COMMENDS AND THANKS SUSAN CHRISTIAN FOR HER OUTSTANDING CONTRIBUTIONS TO THE CITY OF LANSING; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL OFFERS THEIR HEARTFELT BEST WISHES TO SUE FOR CONTINUED SUCCESS AND HAPPINESS IN HER NEW HOME CITY.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #170**

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, JACKIE ROBINSON WAS BORN ON JANUARY 31, 1919, IN CAIRO, GEORGIA, ONE OF FIVE CHILDREN, AND WAS RAISED IN PASADENA, CALIFORNIA BY HIS MOTHER; AND

WHEREAS, JACKIE ATTENDED UCLA WHERE HE BECAME THE BRUINS FIRST ATHLETE TO WIN A VARSITY LETTER IN FOUR DIFFERENT SPORTS -- BASEBALL, FOOTBALL, BASKETBALL, AND TRACK -- AND WHERE HE EARNED ALL-AMERICA HONORS IN FOOTBALL; AND

WHEREAS, JACKIE SERVED IN THE U.S. ARMY BEING HONORABLY DISCHARGED AS A SECOND LIEUTENANT;

AND

WHEREAS, ON APRIL 15, 1947, JACKIE ROBINSON BECAME THE FIRST AFRICAN-AMERICAN TO PLAY IN A MAJOR LEAGUE BASEBALL GAME WHEN HE STEPPED ON THE FIELD AGAINST THE BOSTON BRAVES, A TEAM WHICH SOME 30 YEARS LATER WOULD FEATURE ANOTHER AFRICAN-AMERICAN AS THE GREATEST HOME RUN HITTER OF ALL TIME; AND

WHEREAS, BY THE END OF THAT FIRST SEASON, ROBINSON HAD ESTABLISHED HIMSELF AS ONE OF THE BEST PLAYERS IN THE NATIONAL LEAGUE, LEADING THE LEAGUE IN STOLEN BASES, BATTING .297, HITTING 12 HOME RUNS, DRIVING IN 48 RUNS, AND BEING NAMED THE NATIONAL LEAGUE ROOKIE OF THE YEAR; AND

WHEREAS, DURING THE 10 YEARS HE PLAYED WITH THE BROOKLYN DODGERS THEY WON SIX NATIONAL LEAGUE PENNANTS AND ONE WORLD CHAMPIONSHIP AND ROBINSON WAS NAMED THE MOST VALUABLE PLAYER IN THE NATIONAL LEAGUE IN 1949 AND HIS 1952 DODGER TEAM IS STILL CONSIDERED ONE OF THE BEST TEAMS OF ALL TIME; AND

WHEREAS, JACKIE ROBINSON WAS ELECTED TO THE BASEBALL HALL OF FAME IN 1962, HIS FIRST YEAR OF ELIGIBILITY, WITH A CAREER BATTING AVERAGE OF .311, PLAYING IN SIX ALL-STAR GAMES, STEALING HOME 19 TIMES SETTING A STANDARD FOR BASE STEALING THAT LED THE WAY FOR SUCH STARS AS MAURY WILLS, LOU BROCK, AND RICKEY HENDERSON; AND .

WHEREAS, FOLLOWING HIS BASEBALL CAREER, ROBINSON BECAME THE FIRST AFRICAN-AMERICAN VICE-PRESIDENT OF A MAJOR CORPORATION; WAS HONORED BY THE U.S. POST OFFICE AS THE FIRST MAJOR LEAGUE BASEBALL PLAYER TO BE FEATURED ON THE U.S. POSTAGE STAMP; AND DURING THE LAST YEARS OF HIS LIFE DEDICATED HIS BUSINESS VENTURES TO DEVELOPING AFFORDABLE HOUSING IN THE GHETTO AREAS OF NEW YORK CITY.

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY COMMEMORATES THE LIFE OF JACKIE ROBINSON BY DECLARING APRIL 15, 1997, THE FIFTIETH ANNIVERSARY OF HIS FIRST GAME AS A MAJOR LEAGUER AS JACKIE ROBINSON DAY IN THE CITY OF LANSING; AND

BE IT FURTHER RESOLVED THAT WE PAUSE TO REMEMBER JACKIE ROBINSON WHOSE CHARACTER, DIGNITY, AND PLAY ON A BASEBALL DIAMOND CHANGED FOREVER THE DREAMS OF MILLIONS OF AMERICAN YOUNGSTERS; AND

BE IT FURTHER RESOLVED THAT WE DEDICATE OURSELVES TO THE PROPOSITION THAT THE COLOR OF A MAN'S SKIN IS OF NO IMPORTANCE WHEN COMPARED TO THE WAY HE CONDUCTS HIMSELF AS JACKIE DID IN

THE FACE OF OVERWHELMING ODDS, PREJUDICE, AND HATRED; AND

BE FINALLY RESOLVED THAT WE HOLD IN HIGH HONOR JACKIE ROBINSON: ALL-STAR ATHLETE, VETERAN, BUSINESSMAN, AND FREEDOM FIGHTER.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #171

BY COUNCILMEMBER BAUER  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE WEEK OF APRIL 13 THROUGH APRIL 19, 1997, WILL BE CELEBRATED AS NATIONAL VOLUNTEER WEEK THROUGHOUT THE UNITED STATES IN RECOGNITION OF THE SELFLESS CONTRIBUTIONS OF OUR NATION'S 93 MILLION VOLUNTEERS; AND

WHEREAS, THROUGHOUT THE NATION VOLUNTEERS PROVIDE AN AVERAGE OF 4.2 HOURS OF SERVICE PER WEEK TO IMPROVE THE QUALITY OF LIFE IN OUR COMMUNITIES; AND

WHEREAS, IN THE LANSING AREA IT IS ESTIMATED THAT THERE ARE 57,000 VOLUNTEERS WHO, IN 1996, GENEROUSLY AND UNSELFISHLY GAVE OVER 11 MILLION HOURS OF THEIR TIME, EFFORTS, AND ENERGY TO OUR SCHOOLS, CHURCHES, SYNAGOGUES, YOUTH ORGANIZATIONS, HOSPITALS, SOCIAL AGENCIES, AND SERVICE ORGANIZATIONS TO MAKE LANSING A BETTER COMMUNITY FOR US ALL.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 14TH DAY OF APRIL, 1997, HEREBY JOINS WITH OTHER COMMUNITIES ACROSS THE NATION IN RECOGNIZING AND COMMENDING THESE VOLUNTEERS FOR THEIR SPIRIT AND COMMITMENT; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL, ON BEHALF OF ALL LANSING RESIDENTS, EXTENDS THEIR DEEPEST AND MOST SINCERE APPRECIATION TO ALL VOLUNTEERS FOR A JOB WELL DONE.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

#### ORDINANCES FOR INTRODUCTION

##### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING,

MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-02-97, 519 N. CHESTNUT ST., "C" RESIDENTIAL AND "DM-4" RESIDENTIAL DISTRICTS TO "D-1" PROFESSIONAL OFFICE DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### **RESOLUTION #172**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, MAY 5, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-02-97, 519 N. CHESTNUT ST., "C" RESIDENTIAL AND "DM-4" RESIDENTIAL DISTRICTS TO "D-1" PROFESSIONAL OFFICE DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### **INTRODUCTION OF ORDINANCES**

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-01-97, 621 AND 623 E. MICHIGAN AVE., "H" LT. INDUSTRIAL TO "G-1" BUSINESS DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

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ORDINANCE FOR REZONING:

Z-01-97, 621 AND 623 E. MICHIGAN AVE., "H" LT. INDUSTRIAL DISTRICT TO "G-1" BUSINESS DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### **OTHER BUSINESS**

##### **► PUBLIC COMMENT ON CITY MATTERS**

J.C. RINGENBERG OF 1013 W. MT. HOPE STATED HER OPPOSITION TO Z-04-97. SHE SAID THAT THE PETITIONS CIRCULATED BY ARBOR DRUGS IN SUPPORT OF THEIR REZONING CONTAIN SEVERAL SIGNATURES THAT SHOULD NOT BE COUNTED. SHE SUBMITTED AN ANALYSIS OF A PORTION OF THE SIGNATURES COLLECTED BY ARBOR DRUGS.

MIKE ZDEBSKI OF 2417 POXSON ASKED THAT A FINANCIAL IMPACT STUDY (FIS) BE PERFORMED ON THE Z-04-97 PROPOSAL. ADDITIONALLY, HE REQUESTED THAT THE MAYOR'S OFFICE FILL THE VACANT SEAT OF THE SOUTHWEST SIDE REPRESENTATIVE ON THE PLANNING BOARD, AS THEY ARE CURRENTLY UNREPRESENTED.

DEB ZDEBSKI OF 1044 POXSON SPOKE IN OPPOSITION TO Z-04-97. THIS PROPOSAL WOULD PUT THEIR KIDS, AS WELL AS THEIR NEIGHBORHOOD, AT RISK. SHE REQUESTED THAT RESIDENTS IN ATTENDANCE TONIGHT TO PROTEST THIS REZONING STAND. APPROXIMATELY 10 PEOPLE STOOD.

LUCILLE J. ALFORD OF 1016 LENORE STATED HER OPPOSITION TO Z-04-97. SHE STATED THAT SHE DOES NOT APPRECIATE THE LIES SHE AND HER NEIGHBORS WERE TOLD BY MR. BRUNSTICK.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT DEBBIE STABENOW IS THE "MISSING LINK" IN THE MARCH FOR JUSTICE. THE NEXT MARCH SHOULD BE TAKEN RIGHT TO HER OFFICE. POLICE BRUTALITY IS A FEDERAL CIVIL RIGHTS ISSUE.

DONNA OCHESKE OF 1016 POXSON SPOKE IN OPPOSITION TO Z-04-97, THE ARBOR DRUG PETITION FOR REZONING AT THE CORNER OF DR. MARTIN LUTHER KING, JR. BLVD. AND MT. HOPE AVE.

MIKE SEGER OF 1020 GORDON SPOKE IN OPPOSITION TO Z-04-97. HE IS OPPOSED TO ARBOR DRUGS COMING INTO THEIR NEIGHBORHOOD BECAUSE, IT WILL INCREASE TRAFFIC AND ENDANGER THEIR CHILDREN. THIS STORE WOULD HAVE A FULL LIQUOR LICENSE AND PEOPLE WOULD BE COMING ALL HOURS OF THE NIGHT TO BUY LIQUOR.

WILLIAM HUBBELL OF 3916 WEDGEWOOD SAID THAT

NEXT WINTER LANSING WILL HAVE A NEW TRANSPORTATION CENTER.

DENISE ACKER OF 410 CARRIER SAID THAT SHE IS APPALLED THAT THE MAYOR VETOED COUNCIL'S REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. SHE STATED THAT SHE HAS LISTENED TO COUNCILMEMBER NOVAK VOICE HIS OPINION, BUT SHE NEVER HEARS HIM VOICE THE OPINION OF HIS CONSTITUENTS.

CONNIE DELANEY OF 3721 AURELIUS RD. SAID THAT THE CITIZENS WHO OPPOSE THE STORMWATER ENTERPRISE FUND ORDINANCE ARE NOT ANTI-LABOR. HER FAMILY MEMBERS ARE ALL UAW WORKERS. SHE STATED HER DISAPPOINTMENT IN THE MAYORAL VETO OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. SHE URGED COUNCILMEMBERS TO OVERRIDE THE VETO.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SAID THAT ANOTHER YOUNG MAN HAS BEEN KILLED BY THE POLICE IN THE LAST COUPLE OF WEEKS. HE URGED COUNCIL TO HELP THEM ESTABLISH A CITIZENS REVIEW BOARD. HE ANNOUNCED A MEETING AT THE CENTRAL UNITED METHODIST CHURCH ON THURSDAY, APRIL 17, 1997. HE URGED THE PUBLIC TO JOIN THE SECOND MARCH FOR JUSTICE TO BE HELD ON APRIL 26, 1997.

DARNELL OLDHAM OF 3815 BERWICK SAID THAT 50 YEARS AFTER JACKIE ROBINSON BROKE THE COLOR LINE SOME CITIZENS ARE STILL FIGHTING FOR JUSTICE AND FAIR TREATMENT. HE URGED COUNCILMEMBERS TO SUPPORT THEIR REQUEST FOR A CITIZENS REVIEW BOARD.

ROBERT LIPPINCOTT OF 428 CARRIER SAID THAT HE SHOULD NOT HAVE TO PAY HIS STORMWATER ENTERPRISE FUND FEE. THEY DO NOT HAVE SEWERS. THEY HAVE A CISTERN.

KAY CARTER OF 402 CARRIER CRITICIZED MAYOR HOLLISTER FOR HIS VETO OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

OLLIE BERRYHILL OF 322 CARRIER SAID THAT THERE IS NO STORMWATER RUN-OFF IN THIS AREA. THE ROADS ARE HIGHER THAN THE PROPERTIES. EVERY TIME IT RAINS THEIR PROPERTY GETS FLOODED. THEY DO NOT RECEIVE ANY SERVICE FROM THIS SYSTEM. THEY HAVE BEEN TOLD BY THE PUBLIC SERVICE DEPARTMENT THAT THEY WILL NOT RECEIVE ANY BENEFIT FROM THIS SYSTEM UNTIL THE YEAR 2007, HOWEVER, THEY ARE EXPECTED TO PAY \$80 PER YEAR UNTIL THEN FOR SERVICES THEY DO NOT RECEIVE.

ED SIMMER OF 2609 DYER THANKED COUNCILMEMBER LILLY FOR OLDSMOBILE PARK. HE THANKED COUNCILMEMBER JONES FOR THE PROJECT PLAY PLAYGROUND EQUIPMENT, AND COUNCILMEMBER ALLEN

FOR GETTING MORE SKATING RINKS OPERATIONAL IN CITY PARKS. HE NOTED THAT NO ONE ON THE STATE JOURNAL EDITORIAL BOARD EVEN LIVES IN THE CITY OF LANSING.

REVEREND LESTER STONE, OF FRIENDSHIP BAPTIST CHURCH, INVITED COUNCILMEMBERS, MAYOR HOLLISTER AND ALL CITIZENS TO JOIN THEM IN THE SECOND MARCH FOR JUSTICE, TO BE HELD ON APRIL 26, 1997 AT 9:30 A.M. BEGINNING AT SEXTON HIGH AND MARCHING TO THE STATE CAPITAL BUILDING. THEY ARE MARCHING BECAUSE THEY DO NOT YET HAVE JUSTICE. THEY WILL RE-STATE THEIR ISSUES, THEIR PROMISES AND THEIR CAMPAIGN FOR A CITIZENS REVIEW BOARD. THEY WILL SUBMIT PETITIONS FOR A CHARTER AMENDMENT TO PROVIDE FOR A CITIZENS REVIEW BOARD. THEY WILL HAVE ACCOUNTABILITY FOR THE ACTIONS OF THE POLICE TO THE CITIZENS. HE INVITED ALL BLACKS, WHITES, HISPANICS, AMERICAN INDIANS AND ASIANS TO ATTEND THE MARCH.

DICK FISER OF 12100 S. CORK RD. SAID THAT MAYOR HOLLISTER HAS USED HIS VETO POWER AGAINST THE RESIDENTS OF THE CITY. THEY WILL CONTINUE TO WORK TO BRING THE REAL FACTS OUT.

HELEN FISER OF 12100 S. CORK RD. CRITICIZED MAYOR HOLLISTER FOR HIS VETO OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

TODD POIRIER OF 725 IRVINGTON STATED HIS SUPPORT OF MAYOR HOLLISTER'S DECISION TO VETO THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. COUNCIL, HE SAID, HAS NOT LOOKED AT ALL OF THE POSSIBILITIES AND SOLUTIONS.

JACK DAVIS OF 4772 ARAPAHOE TR. IN OKEMOS, CHAIR OF THE LANSING REGIONAL CHAMBER OF COMMERCE, THANKED MAYOR HOLLISTER FOR HIS VETO OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. THE 100% COMMODITIES BASED CHARGE IS JUST PLAIN WRONG. IT DOES NOT TAKE INTO ACCOUNT THE BASIC COST OF RUNNING SUCH A SYSTEM. THIS COST SHOULD BE SPREAD THROUGHOUT THE COMMUNITY. APPEALS OF STORMWATER ENTERPRISE FUND FEES AND INJUSTICES SHOULD BE LISTENED TO, NOT DISMISSED OUT OF HAND, AND THE ORDINANCE SHOULD BE CORRECTED, CHANGED AND MADE FAIR.

JIM ECKLAND OF 5945 WESTMINSTER IN E. LANSING THANKED MAYOR HOLLISTER FOR THE VETO OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. THE AD HOC COMMITTEE ESTABLISHED A SYSTEM THAT IS FAIR TO EVERYONE. THE APPEALS PROCESS WAS INCLUDED, BECAUSE THE COMMITTEE REALIZED THAT THE ORDINANCE WOULD NOT COVER EVERY SITUATION. EVERYONE SHOULD USE THE APPEALS PROCESS, IF THEY FEEL THAT THEY ARE NOT BEING TREATED FAIRLY.

CARL KOENIGSCHNECHT OF 410 N. ELM IN FOWLER, ON BEHALF OF GENERAL MOTORS AND THE BUSINESS AND INDUSTRIAL COUNCIL, THANKED MAYOR HOLLISTER FOR HIS VETO OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. BUSINESS IS NOT LOOKING FOR A BREAK, THEY JUST WANT A SYSTEM THAT IS FAIR FOR EVERYONE. THIS ORDINANCE IS FAIR TO ALL CLASSES OF CUSTOMERS.

BILL VINCENT OF 1415 HOLLY RD. IN LESLIE, DIRECTOR OF FACILITIES AND DEVELOPMENT FOR SPARROW HOSPITAL AND HEALTH SYSTEMS, THANKED COUNCILMEMBERS BAUER, BENAVIDES AND NOVAK, AS WELL AS MAYOR HOLLISTER FOR OPPOSING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. THEY FEEL THAT THIS IS A FAIR AND EQUITABLE ORDINANCE. IT MAY NEED SOME ADJUSTMENTS FOR THE APPEALS PROCESS AND FOR PUBLIC EDUCATION. IT IS TIME FOR THE CITY TO MOVE ON AND FOCUS ON ISSUES THAT BRING VALUE, IMPROVEMENT AND GROWTH TO LANSING.

DONNA PIERCE OF 2605 HAZLEWOOD STATED HER SUPPORT OF MAYOR HOLLISTER'S VETO OF CITY COUNCIL'S REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. WE CANNOT CONTINUE TO RUN BUSINESSES OUT OF LANSING. SHE WANTS HER KIDS TO BE ABLE TO WORK IN LANSING, IF THEY SO CHOSE. THERE IS CURRENTLY NOTHING TO MAKE NEW BUSINESSES COME TO LANSING, MUCH LESS KEEP THE EXISTING ONES HERE.

GARY IGNAT OF 3721 SANDHILL THANKED MAYOR HOLLISTER FOR HIS VETO OF THE STORMWATER ENTERPRISE FUND ORDINANCE.

CONNIE KECK OF 1012 COOPER ST. STATED HER OPPOSITION TO Z-04-97, BECAUSE OF THE IMPACT IT WOULD HAVE ON TRAFFIC IN HER NEIGHBORHOOD. THE TRAFFIC BOARD STUDY SAYS THAT TRAFFIC WOULD INCREASE 10 TIMES OVER IT'S CURRENT RATE. THEY DO NOT NEED ADDITIONAL TRAFFIC IN THIS AREA. IN 1995 THERE WAS AN 11% INCREASE IN TRAFFIC ACCIDENTS AT THIS INTERSECTION.

TERRY LAWLESS OF 5200 KEEFER HWY. IN PORTLAND SPOKE IN SUPPORT OF THE MAYORAL VETO OF THE STORMWATER ENTERPRISE FUND ORDINANCE REPEAL. THE COMPANY HE WORKS FOR IN LANSING COULD NOT HAVE WITHSTOOD SUCH AN INCREASE IN OPERATING COSTS. THEY WOULD HAVE SEEN A 68% INCREASE IN THEIR SEWER COSTS.

TOM SMITH OF 722 N. DR. MARTIN LUTHER KING, JR. BLVD. SAID THAT GENERAL MOTORS IS NOT GOOD FOR LANSING. ALL TAXPAYERS, HE SAID, SHOULD PAY THE SAME PRICE FOR A GALLON OF WATER. THIS IS A CASE OF GENERAL MOTORS AGAINST THE PEOPLE.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. SAID THAT GENERAL MOTORS HAS BEEN GOOD TO HIM, AND

TO THE CITY OF LANSING. THIS IS A DEAD ISSUE NOW AND HE WOULD RATHER TALK ABOUT DAYTIME CURFEWS FOR NEXT YEAR. WE CANNOT KEEP OUR KIDS IN SCHOOL WITHOUT AN ORDINANCE OF THIS TYPE.

MELANIE ROGERS OF 409 W. WILLOW SAID THAT THE FRONT OF HER HOUSE WILL BE RE-SIDED TONIGHT. SHE IS NOT OPPOSED TO THE EXISTENCE OF THE BUILDING SAFETY DIVISION, BUT SHE IS OPPOSED TO THE METHODS OF SOME OF THEIR INSPECTORS. IT SHOULD NOT BE A CRIME TO WORK ON YOUR HOUSE AND IMPROVE YOUR LITTLE LOT OF SOCIETY.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT THE STORMWATER ENTERPRISE FUND ORDINANCE WAS A TOTAL FRAUD. THIS IS NOT A STORMWATER ISSUE, IT IS A SANITARY SEWER ISSUE. IT IS NOT A DEAD ISSUE YET, EITHER, IT CAN STILL BE CORRECTED.

JUDITH CORLETT OF 831 COLLINGWOOD IN E. LANSING SPOKE REGARDING HER APPLICATION FOR DESIGNATION OF A TAVERN LICENSE AT HER ESTABLISHMENT, "THE DANCING GOAT". SHE HAS BEEN IN BUSINESS IN THIS LOCATION FOR THREE YEARS. SHE IS THE VICE-CHAIRMAN OF THE PRINCIPAL SHOPPING DISTRICT BOARD, AND A MEMBER OF THE DOWNTOWN BUSINESS ASSOCIATION AND THE CHAMBER OF COMMERCE. SHE BELIEVES THAT SHE WOULD BE MORE SUCCESSFUL IN DOWNTOWN WITH A TAVERN LICENSE THAT WILL ALLOW HER TO SELL BEER AND WINE.

HAROLD KING OF 1563 N. HIGH ST. SAID THAT IN JUNE, HE WILL HAVE LIVED IN LANSING FOR THREE YEARS.

#### **CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

FIREWORKS DISPLAY; NIGHT MAGIC FOR OLDSMOBILE PARK ON 05-17-97, 6-17-97, 7-2-97, 8-9-97, 8-30-97

SECOND HAND DEALER; NATIONAL CASH EXCHANGE, INC.

TRANSFER CLASS C: ROBIN G. RYAN

PEDDLER: BOBBY D. TREJO

WASTE HAULER: LANSING LAWN & SNOW, INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

A. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES



RECEIVED AND PLACED ON FILE

B. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE DEADLINE FOR FILING FOR CITY ELECTIVE OFFICE: MAY 13, 1997 AT 4:00 P.M.

RECEIVED AND PLACED ON FILE

C. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF RECEIPT OF MAYORAL VETO OF ORDINANCE NOS. 965 AND 966 AND RESOLUTION NOS. 159 AND 163, ORDINANCE REPEALING ORDINANCE #925, STORMWATER ENTERPRISE FUND, ORDINANCE AMENDING CHAPTER 1042.04, RESOLUTION OF STATEMENT OF INTENT TO PLACE SEWER CHARGES ON A COMMODITIES BASED METHODOLOGY, RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED SEWER RATE OF \$4.05 CCF

REFERRED TO THE COMMITTEE OF THE WHOLE

3. LETTERS FROM THE CITY ATTORNEY RE:

A. ANTONIO GONZALES V CITY OF LANSING; BRENDA GONZALES V CITY OF LANSING AND JOSE A. TORREZ V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. JENNIFER L. SMYTH, NEXT FRIEND OF PAMELA HERNANDEZ V EVA ARLENE ORR, ET AL

RECEIVED AND PLACED ON FILE

C. MAYOR LANSING AND CITY OF LANSING V KNIGHTS OF THE KU KLUX KLAN AND DAVID A. NEUMANN

RECEIVED AND PLACED ON FILE

4. APPLICATION FROM THE PRINCIPAL SHOPPING DISTRICT FOR THE NAMING/RENAMING OF A MEMORIAL IN THE CITY OF LANSING: WASHINGTON SQUARE BERMS

REFERRED TO THE MEMORIAL REVIEW BOARD AND THE COMMITTEE ON GENERAL SERVICES

5. LETTERS FROM THE MAYOR RE:

A. REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS: CITY OF LANSING/LANSING SCHOOL DISTRICT MULTI-CULTURAL CONFERENCE

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. TRANSFER OF FUNDS: GENERAL ADMINISTRATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. LETTER OF APPRECIATION FROM MICHAEL E. BOTKE, BOYS & GIRLS CLUB OF LANSING

RECEIVED AND PLACED ON FILE

D. LETTER OF APPRECIATION FROM CANTERBURY COMMONS RESIDENT COUNCIL

RECEIVED AND PLACED ON FILE

E. LETTER OF APPRECIATION TO OFFICERS MONTY SMALL AND BRIAN HUNTER FROM D/F/LT. JIMMY G. PATRICK

RECEIVED AND PLACED ON FILE

F. LETTER FROM GERALD BRADY, ZOO DIRECTOR IN APPRECIATION OF THE DONATION OF MATERIALS, TIME AND LABOR FOR THE REPAIR OF THE WOLF EXHIBIT FENCE

RECEIVED AND PLACED ON FILE

G. LETTER OF APPRECIATION FROM DANIEL F. MURPHY TO THE LANSING POLICE DEPARTMENT

RECEIVED AND PLACED ON FILE

H. SLU-01-97; 4900 CONTEC DRIVE

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

I. PRD-01-97; S. MARTIN LUTHER KING BLVD; EXTENSION FROM HUGHES TO HAAG RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

J. Z-04-97; MT. HOPE AVE. AND S. M.L. KING, JR. BLVD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

## COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER BENAVIDES

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

I. LETTER FROM PATRICK M. MURRAY, PRESIDENT OF THE LANSING BOARD OF EDUCATION SUBMITTING SCHOOL BOARD POLICY REGARDING THE RANDOM ALCOHOL AND DRUG TESTING OF EMPLOYEES WITH CDL's

REFERRED TO THE MAYOR

2. NOTICE OF APPLICATION FOR A PERMIT FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY BY THE CITY OF LANSING FOR REPLACEMENT OF THE LANSING AVE. PUMP STATION, CONSTRUCTION OF A NEW SANITARY SEWER EQUALIZATION BASIN WITHIN THE FLOODPLAIN OF THE GRAND RIVER

REFERRED TO THE MAYOR

3. LETTER FROM EDWARD F. COOK OF 1845 BRIARWOOD DR. REQUESTING CORRECTIONS TO MINUTES OF TRAFFIC BOARD MEETINGS

REFERRED TO THE MAYOR

4. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION OF A CONTRACT FOR RECONSTRUCTION OF THE I-96 BRIDGE OVER THE GRAND TRUNK WESTERN RAILROAD AND THE RED CEDAR RIVER, AND ESTIMATION OF THE CITY OF LANSING'S SHARE OF THE COSTS

REFERRED TO THE MAYOR

5. LETTER FROM THE WEST SIDE NEIGHBORHOOD ASSOCIATION AIR QUALITY COMMITTEE REGARDING THE ODOR EMISSIONS PROBLEMS WITH THE GENERAL MOTORS VERLINDEN ST. PLANT

REFERRED TO THE MAYOR

6. ONE HUNDRED TWENTY-THREE (123) PETITION SIGNATURES IN SUPPORT OF Z-04-97

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

7. LETTER FROM JAMES M. PANETTA OF 707 SEYMOUR AVE. RAISING ADDITIONAL CONCERNS REGARDING THE NEED FOR A CITY OF LANSING ANIMAL CONTROL ORDINANCE

REFERRED TO THE CITY ATTORNEY

8. Z-10-97; 516 TISDALE AVE., PETITION FOR REZONING FROM "B" RESIDENTIAL TO "J" PARKING DISTRICT FILED BY ART BARYAMES TO ALLOW FOR DEVELOPMENT OF ADDITIONAL EMPLOYEE PARKING SPACES

REFERRED TO THE MAYOR AND THE PLANNING BOARD

9. Z-09-97; JOLLY RD. BETWEEN JOLLY-CEDAR & SHOOG CRT., PETITION FOR REZONING FROM "F" AND "G-2" TO "DM-1" FILED BY HDC INCORPORATED TO ALLOW THE SOUTH 13.75 ACRES TO BE USED FOR MULTIPLE FAMILY USES

REFERRED TO THE MAYOR AND THE PLANNING BOARD

10. PRD-02-97; JOLLY RD. BETWEEN JOLLY-CEDAR & SHOOG COURT; PETITION FOR PLANNED RESIDENTIAL DEVELOPMENT FILED BY HDC INCORPORATED TO ALLOW FOR CONSTRUCTION OF 144 1-3 BEDROOM APARTMENTS

REFERRED TO THE MAYOR AND THE PLANNING BOARD

11. 3 POSTCARDS IN SUPPORT OF THE REPEAL OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

RECEIVED AND PLACED ON FILE

12. LETTER FROM JUDITH CORLETT, PROPRIETOR OF THE DANCING GOAT COFFEEHOUSE REQUESTING A TAVERN LICENSE TO ALLOW HER TO SELL BEER & WINE

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

13. COMPLAINT RECEIVED FROM ERICK WILLIAMS OF 1408 W. LENAWEE ST. REGARDING THE LANSING POLICE DEPARTMENT

REFERRED TO THE MAYOR

14. LETTER FROM DON COOK OF 1000 W. MT. HOPE IN OPPOSITION OF Z-04-97 FOR ARBOR DRUGS AT THE CORNER OF M.L. KING, JR. BLVD AND MT. HOPE AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

15. REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS FROM THE CHURCH OF CHRIST ON HOLMES RD. FOR THE RENTAL OF THE PARKS AND RECREATION SHOWMOBILE FOR THEIR ANNUAL FESTIVAL

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

#### **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER NOVAK

TO EXCUSE COUNCILMEMBER ALLEN FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

#### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER LILLY OBJECTED TO STATEMENTS MADE IN A STATE JOURNAL EDITORIAL. THEIR JUDGEMENTS WERE MADE BASED, NOT ON HIS RECORD,

BUT ON HIS STYLE. THEY ARE UNABLE TO RETAIN THEIR OBJECTIVITY IN THE REPORTING OF HIS REELECTION CAMPAIGN AND THE PUBLIC SHOULD BE AWARE OF THIS. THE CITIZENS DO NOT WANT THE SAME TYPE OF COUNCIL THAT PASSED THE EARLY RETIREMENT ISSUE. HE CALLED ON MAYOR HOLLISTER TO EXPLAIN TO THE RESIDENTS HOW HIS VETO CAN PRESENT A WIN/WIN SITUATION FOR THEM. HE ANNOUNCED THAT THE ARBOR DRUG PROPOSAL WILL BE TAKEN UP IN THE DEVELOPMENT AND PLANNING COMMITTEE ONE WEEK FROM TOMORROW, TUESDAY, APRIL 22, 1997 AT 4:00 P.M.

COUNCILMEMBER BAUER COMMENDED THE CITIZENS BOARDS THAT ADVISE AND WORK WITH CITY COUNCIL ON A VARIETY OF ISSUES. THEY WORK HARD FOR THE CITY. SHE ANNOUNCED THAT WEDNESDAY IS A SPECIAL RECOGNITION DAY FOR CAPITAL AREA UNITED WAY VOLUNTEERS. THEY RAISED OVER \$6,200,000. SHE STATED THAT THE MOST DISTURBING THING TO HER ABOUT THE STORMWATER ENTERPRISE FUND ISSUE IS THAT PEOPLE ARE NOT LOOKING AT THE BIGGER PICTURE. WE MUST DO A CAREFUL ANALYSIS OF THE COST OF LIVING IN LANSING AND DOING BUSINESS IN LANSING. WE MUST COMPARE THESE COSTS TO OTHER CITIES OF OUR SIZE AND WITH THE SUBURBS. WE MUST WORK TOGETHER TO MAKE PLANS AND DECISIONS THAT MAKE THIS A STRONG COMMUNITY WHERE PEOPLE WANT TO LIVE AND WORK AND RAISE THEIR FAMILIES. WE MUST LOOK AT LONG-TERM PLANNING. SHE COMMENDED COUNCILMEMBER BENAVIDES ON THE CESAR CHAVEZ MEMORIAL DINNER AND THE PREVIEW OF THE MOVIE "FIGHT IN THE FIELD", WHICH WILL BE SHOWN THIS WEDNESDAY ON PBS, PLEASE WATCH THIS WONDERFUL MOVIE.

COUNCILMEMBER JONES REPORTED TAKING A TOUR OF GROESBECK GOLF COURSE WITH DRAIN COMMISSIONERS LINDEMANN, PARKS AND RECREATION DIRECTOR REICKEL AND COUNCILMEMBER LEEMAN. THEY ARE DOING A LOT OF WORK AND TAKING CARE OF THE STORMWATER ISSUE IN A CREATIVE MANNER THAT COULD BE INCORPORATED INTO OUR APPROACH TO THE STORMWATER ISSUE. HE URGED THE ADMINISTRATION TO LOOK AT BANCROFT PARK AND THE BIG POLLUTER OF WATER IN THAT AREA, WHICH IS THE BOARD OF WATER AND LIGHT. THE CITY NEEDS TO TAKE THEM TO TASK FOR THIS. WE MUST FIND OUT WHAT WE CAN DO TO PREVENT THEM FROM DUMPING FLY-ASH INTO THE WATER, WHICH EVENTUALLY GETS INTO THE WATER TABLE.

COUNCILMEMBER BENAVIDES SAID THAT EVERY COUNCILMEMBER HAD DIFFERENT REASONS FOR VOTING THE WAY THEY DID ON THE EOCC RECOMMENDATIONS TONIGHT. HE HOPES THAT THE EOCC BOARD MEMBERS DO NOT TAKE THIS VOTE THE WRONG WAY. IT DOES NOT MEAN THAT THEIR WORK AND EXPERIENCES ARE GOING UNAPPRECIATED. THEY EACH HAD THEIR OWN REASONS FOR VOTING TO TURN THE RAISES DOWN. HE ASKED COUNCILMEMBER LILLY WHEN PRD-01-97 WILL BE

TAKEN UP BY HIS COMMITTEE.

COUNCILMEMBER NOVAK URGED THE DEVELOPMENT AND PLANNING COMMITTEE TO ENCOURAGE THE ADMINISTRATION AND THE PLANNING DEPARTMENT TO REVIEW THE PROSPECT OF ALTERNATIVE LOCATIONS FOR THE ARBOR DRUG STORE. THIS PARTICULAR PROPOSAL WILL PROBABLY NOT PASS. HE ANNOUNCED THAT THE HOLY CROSS CHURCH WILL HOLD FUND RAISERS THIS FRIDAY AND SATURDAY. HE WILL BE BARTENDING. PLEASE ATTEND. COUNCILMEMBER ALLEN HAS ASKED HIM TO SEND OUT BEST WISHES TO KELLY BAYLISS WHO HAS BEEN SICK AND WOULD LIKE OUR PRAYERS.

COUNCILMEMBER LEEMAN ANNOUNCED THAT THE BOARD OF WATER & LIGHT WILL BE ASKED TO COME IN TOMORROW AND EXPLAIN THE DUMPING OF FLY-ASH INTO THE WATER AT BANCROFT PARK, AND WHY THEY DISAGREE WITH THE DRAIN COMMISSIONERS SOLUTION TO THIS PROBLEM, TO THE PUBLIC SERVICE COMMITTEE. HE ASKED MR. WIENER WHY CEMENT TRUCKS FROM NOVI ARE PROVIDING CEMENT FOR THE CSO PROJECT. WHY ARE WE NOT USING LOCAL CONTRACTORS? PLEASE CHECK INTO THIS AND RESPOND, IN WRITING, TO HIM BY TOMORROW.

COUNCILMEMBER BEAL SAID THAT THE STORMWATER ENTERPRISE FUND ISSUE IS NOT OVER, AND IT IS NOT GOING TO BE OVER ANYTIME SOON. THIS IS THE MOST EXPENSIVE PROJECT THAT THE CITIZENS OF LANSING HAVE EVER BEEN ASKED TO FUND. THERE IS NO FIXED CHARGE FOR COST OF SERVICES THAT COVER CAPITAL COSTS. YOU PAY A \$2.13 BILLING CHARGE AND THEN YOU HAVE AN INFLOW AND INFILTRATION CHARGE. THIS IS NOT A COST OF SERVICE CHARGE. THIS IS I & I, WHICH IS WATER THAT NO ONE KNOWS WHERE IT COMES FROM. THE CURRENT SYSTEM SHIFTS OVER \$1,000,000 FROM COMMERCIAL AND INDUSTRIAL CLASSES TO RESIDENTIAL CLASSES. COUNCIL DOES NOT DISMISS APPEALS OUT OF HAND. THESE ARE APPEALS THAT WERE ALREADY TURNED DOWN BY THE PUBLIC SERVICES DEPARTMENT BASED ON CRITERIA DEVELOPED BY THEM. COUNCIL IS MERELY CONCURRING WITH THE PUBLIC SERVICES DEPARTMENT AND THEIR DETERMINATIONS. SHE ASKED MR. WIENER TO LOOK INTO A SITUATION WITH ACE WRECKING CO. ON GIER ST. THEY ARE USING GIER AS A TRUCK ROUTE AGAIN. ALSO, THERE IS A SMALL AUTO REPAIR SHOP ON SAGINAW NAMED SHEPPS. THEY NEED HELP WITH ACCESS TO THEIR BUSINESS BECAUSE OF CONSTRUCTION ON THE CSO PROJECT. SHE REPORTED THAT FAMOUS TACO IS OPENING UP A NEW STORE ON WASHINGTON AVENUE IN DOWNTOWN. SHE ANNOUNCED THAT THERE WILL BE A BUDGET HEARING AT 3:00 ON THURSDAY.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER CORRECTED STATEMENTS BY MR. OLDHAM THAT THE MAYOR HAS SPENT \$18,000,000 ON

PUBLIC RELATIONS FIRMS. IN ACTUALITY, THEY HAVE SPENT \$120,000. HE COMMENDED COUNCILMEMBER BENAVIDES ON THE CESAR CHAVEZ MEMORIAL DINNER AND ON THE DOCUMENTARY, WHICH WAS A VERY MOVING FILM. IT WILL BE SHOWN ON PBS ON WEDNESDAY, APRIL 16, 1997.

**ADJOURNED 9:40 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS APRIL 21, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

ABSENT: COUNCILMEMBER NOVAK

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF APRIL 7, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER ALLEN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER ALLEN; A PETITION SIGNED BY 18 RESIDENTS ON MT. HOPE AVE. REQUESTING MODIFICATION OF THE PUBLIC IMPROVEMENT PROPOSED FOR MT. HOPE AVE. FROM AURELIUS RD. TO THE E. LANSING CITY LIMITS

2. FROM COUNCILMEMBER JONES; A RESOLUTION SETTING A PUBLIC HEARING FOR MAY 12, 1997 IN CONSIDERATION OF THE CITY OF LANSING BUDGET FOR FISCAL YEAR 1997/1998

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

CITY CLERK, MARILYNN SLADE, ANNOUNCED THAT THE DEADLINE FOR FILING TO RUN FOR CITY OF LANSING ELECTIVE OFFICE FOR THE AUGUST 5, 1997 PRIMARY ELECTION IS MAY 13, 1997 AT 4:00 P.M. IN THE CITY CLERK'S OFFICE. THE POSITIONS THAT WILL BE UP FOR ELECTION ARE: MAYOR, CITY CLERK, TWO (2) AT-LARGE

COUNCILMEMBER POSITIONS, ONE (1) WARD 2 COUNCILMEMBER POSITION AND ONE (1) WARD 4 COUNCILMEMBER POSITION. SHE ANNOUNCED THAT THERE IS A NEW REQUIREMENT THAT ALL CANDIDATES MUST FILE PROOF OF CITIZENSHIP WHEN THEY FILE TO RUN FOR ELECTION. THIS MAY BE ACCOMPLISHED BY FILING A COPY OF YOUR BIRTH CERTIFICATE, A COPY OF YOUR PASSPORT, OR, A COPY OF NATURALIZATION PAPERS.

MAYOR HOLLISTER ANNOUNCED THAT THE LANSING AREA MASONIC COMMUNITY WILL HOLD FUND RAISERS TO ASSIST IN PAYING ENTRANCE FEES TO POTTER PARK ZOO FOR QUALIFIED INDIVIDUALS. THEIR FIRST DINNER WILL BE HELD ON THURSDAY, MAY 1, 1997 BEGINNING AT 6:30 P.M. AT THE LANSING MASONIC TEMPLE AT 1125 WEBER DRIVE IN LANSING; WHICH IS LOCATED BEHIND THE MICHIGAN MILLERS INSURANCE COMPANY ON THE CITY'S EAST SIDE.

COUNCIL PRESIDENT BEAL ANNOUNCED THAT SHE IS PULLING THE RESOLUTION REGARDING AN OVERRIDE OF MAYOR HOLLISTER'S VETO OF THE REPEAL OF THE STORMWATER ENTERPRISE ORDINANCE AND HIS VETO OF THE RESOLUTIONS RELATIVE TO THE PLACEMENT OF FUNDING FOR THE CSO PROJECT ONTO A COMMODITIES BASED SEWER RATE. *THE RESOLUTIONS REFERRED TO BY PRESIDENT BEAL ARE LISTED AS ITEMS B1-A THROUGH B1-D ON TONIGHT'S AGENDA)*

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC HEARINGS

1. TO CONSIDER THE ISSUANCE OF ORDERS FOR MAKE-SAFE OR DEMOLISH TO THE OWNERS OF PROPERTY LOCATED:

- 4522 STILLWELL
- 1403 EMERSON
- 6051 SOUTHBROOK

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. TO CONSIDER ESTABLISHING EIGHT NEIGHBORHOOD ENTERPRISE ZONES

DONALD WILLIAMS OF 509 SCARLETT LANE SPOKE IN SUPPORT OF THE ESTABLISHMENT OF THESE ENTERPRISE ZONES. HE ATTENDED THE MICRO-ENTERPRISE CLASSES THAT WERE SPONSORED BY THE CITY AND THEY WERE A WONDERFUL EXPERIENCE FOR HIM AND GAVE HIM EXCELLENT EXPERIENCE AND INFORMATION RELATIVE TO STARTING A BUSINESS. THIS IS AN OUTSTANDING PROGRAM.

KEN KRAMER OF 318 E. WILLARD SPOKE IN SUPPORT OF ESTABLISHING ENTERPRISE ZONES. HE SAID THAT THE MICRO-ENTERPRISE CLASSES HAVE ALLOWED HIM TO INCREASE HIS BUSINESS, HANDLE HIS CUSTOMERS MORE EFFECTIVELY AND BECOME A MORE PRODUCTIVE CITIZEN.

STEVEN NIKKEL OF 525 KIPLING BLVD., DIRECTOR OF THE MICRO-ENTERPRISE FUND, SPOKE IN SUPPORT OF THE PROPOSED ENTERPRISE ZONES. THIS PROGRAM TEACHES PEOPLE SKILLS NECESSARY TO EFFECTIVELY RUN A SMALL BUSINESS. THEY HAVE 10 PEOPLE ENROLLED IN THEIR TRAINING COURSE NOW. THEY HAVE CURRENTLY MADE ONE LOAN TO A TRAINEE.

SHERRY BRANTLEY OF 510 LEITRAM IN LANSING SPOKE IN SUPPORT OF THE MICRO-ENTERPRISE FUND CLASSES. SHE STATED THAT SHE IS A FORMER WELFARE RECIPIENT THAT GRADUATED FROM THIS PROGRAM IS NOW WORKING ON HER OWN BUSINESS.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE IS GRATIFIED TO SEE SO MANY PEOPLE HERE SPEAKING IN SUPPORT OF LANSING PROGRAMS, HOWEVER, HE DOES NOT SUPPORT ANY FURTHER FUNDING OF THE MICRO-ENTERPRISE FUND.

MIKE MARKEY OF P.O. 24125 REQUESTED THAT THE NEIGHBORHOOD ENTERPRISE ZONE PROPOSED FOR WEXFORD ST. BE TABLED TO ALLOW THE NEIGHBORHOOD TIME TO STUDY THE PROPOSAL, TO SEE WHAT IT ENTAILS. THEY DO NOT KNOW ANYTHING ABOUT THIS PROJECT AND WOULD LIKE THE OPPORTUNITY TO DETERMINE IF THEY FEEL IT WOULD BE HARMFUL TO THEIR NEIGHBORHOOD.

SARA JOHNSON OF 501 N. BUTLER SPOKE IN SUPPORT OF THE MICRO-ENTERPRISE FUND, SAYING, THAT THIS WAS AN INVALUABLE TRAINING PROGRAM TO HER.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. IN CONSIDERATION OF THE CITY'S PROPOSED ANNUAL CONSOLIDATED STRATEGY AN PLAN SUBMISSION, AND PROPOSED USE OF 1995 EMERGENCY SHELTER GRANT FUNDS, INCLUDING THE BUDGET FOR USE OF COMMUNITY DEVELOPMENT BLOCK GRANT, HOME PROGRAM AND EMERGENCY SHELTER GRANT PROGRAM FOR FY BEGINNING JULY 1, 1997 AND ENDING JUNE 30, 1998 AND A PROPOSED AMENDMENT TO THE USE OF 1995 EMERGENCY SHELTER GRANT FUNDS

SHAWN BOUTERSE OF 812 LARNED ST. SPOKE IN SUPPORT OF THE CDBG BUDGET.

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN SUPPORT OF FUNDING OF THE LANSING NEIGHBORHOOD COUNCIL.

ROSE NORWOOD OF 300 N. WASHINGTON SQUARE, EXECUTIVE DIRECTOR OF THE HOUSING RESOURCES CENTER, SPOKE IN SUPPORT OF THE CDBG PROGRAM AND URGED EVERYONE TO ATTEND THE LANSING HOUSING FAIR ON MAY 3, 1997 AT THE LANSING CENTER.

SUE EBY OF P.O. BOX 11146, ON BEHALF OF HER EMPLOYER, FRANKLIN STREET HOUSING CO-OP, SPOKE IN SUPPORT OF THE CDBG BUDGET. SHE SAID THAT FOR EVERY \$50,000 LANSING PUTS INTO THESE HOUSES IN GRANT MONIES, THE PRIVATE SECTOR PUTS IN \$200,000.

ROBERT BENNETT OF 222 W. SAGINAW SPOKE IN SUPPORT OF THE CDBG BUDGET AND OF FUTURE FUNDING FOR THE LANSING NEIGHBORHOOD COUNCIL.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

► LEGISLATIVE MATTERS

THERE WERE NO PUBLIC COMMENTS ON LEGISLATIVE MATTERS

**LEGISLATIVE MATTERS  
RESOLUTIONS**

**PULLED FROM THE AGENDA AT THE DIRECTION OF  
PRESIDENT BEAL**

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BY ORDINANCE No. 965, ADOPTED BY THE CITY COUNCIL ON APRIL 7, 1997, WHICH REPEALED ORDINANCE No. 925, ENTITLED "STORMWATER ENTERPRISE FUND".

WHEREAS, MAYOR HOLLISTER HAS SUBMITTED NOTICE THAT HE IS EXERCISING HIS AUTHORITY, PURSUANT TO SECTIONS 3-305 AND 7-106 OF THE CHARTER OF THE CITY OF LANSING, TO VETO AND SUSPEND THE OPERATION OF COUNCIL'S ORDINANCE No. 965; AND

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY OVERRIDES THE MAYOR'S VETO AND SUSPENSION OF THE COUNCIL'S ORDINANCE No. 965, IN WHICH IT REPEALED ORDINANCE No. 925, ENTITLED "STORMWATER ENTERPRISE FUND".

**PULLED FROM THE AGENDA AT THE DIRECTION OF  
PRESIDENT BEAL**

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BY ORDINANCE No. 966, AMENDING SECTION 1042.04 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, ADOPTED BY THE CITY COUNCIL ON APRIL 7, 1997, WHICH THIS ORDINANCE PROVIDED A CHANGE TO THE METHODOLOGY USED IN ESTABLISHING SEWER RATES AND CHARGES;

WHEREAS, MAYOR HOLLISTER HAS SUBMITTED NOTICE THAT HE IS EXERCISING HIS AUTHORITY, PURSUANT TO SECTIONS 3-305 AND 7-106 OF THE CHARTER OF THE CITY OF LANSING, TO VETO AND SUSPEND THE OPERATION OF COUNCIL'S ORDINANCE No. 966; AND

NOW THEREFORE, BE IT RESOLVED THAT THE CITY

COUNCIL HEREBY OVERRIDES THE MAYOR'S VETO AND SUSPENSION OF THE COUNCIL'S ORDINANCE NO. 966, IN WHICH IT PROVIDED A CHANGE TO THE METHODOLOGY USED IN ESTABLISHING SEWER RATES AND CHARGES.

**PULLED FROM THE AGENDA AT THE DIRECTION OF PRESIDENT BEAL**

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BY RESOLUTION NO. 159, ADOPTED BY THE CITY COUNCIL ON APRIL 7, 1997, WHICH THIS RESOLUTION INDICATED THAT THE CITY COUNCIL'S INTENT AND POSITION THAT FUNDING FOR THE CSO PROGRAM'S OUTSTANDING BONDS BE PLACED ON THE SEWER RATES AS SET FORTH IN THE LANSING CODE, SECTION 1042.04, AS AMENDED;

WHEREAS, MAYOR HOLLISTER HAS SUBMITTED NOTICE THAT HE IS EXERCISING HIS AUTHORITY, PURSUANT TO SECTIONS 3-305 AND 7-106 OF THE CHARTER OF THE CITY OF LANSING, TO VETO AND SUSPEND THE OPERATION OF COUNCIL'S RESOLUTION NO. 159; AND

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY OVERRIDES THE MAYOR'S VETO AND SUSPENSION OF THE COUNCIL'S RESOLUTION NO. 159, IN WHICH IT STATED ITS INTENT AND POSITION THAT FUNDING FOR THE CSO PROGRAM'S OUTSTANDING BONDS BE PLACED ON THE SEWER RATES AS SET FORTH IN THE LANSING CODE, SECTION 1042.04, AS AMENDED.

**PULLED FROM THE AGENDA AT THE DIRECTION OF PRESIDENT BEAL**

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BY RESOLUTION NO. 163, ADOPTED BY THE CITY COUNCIL ON APRIL 7, 1997, WHICH THIS RESOLUTION SET A PUBLIC HEARING ON THE SEWER RATE METHODOLOGY;

WHEREAS, MAYOR HOLLISTER HAS SUBMITTED NOTICE THAT HE IS EXERCISING HIS AUTHORITY, PURSUANT TO SECTIONS 3-305 AND 7-106 OF THE CHARTER OF THE CITY OF LANSING, TO VETO AND SUSPEND THE OPERATION OF COUNCIL'S RESOLUTION NO. 163; AND

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY OVERRIDES THE MAYOR'S VETO AND SUSPENSION OF THE COUNCIL'S RESOLUTION NO. 163, IN WHICH IT SET A PUBLIC HEARING ON THE SEWER RATE METHODOLOGY.

#### **RESOLUTION #174**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED JOHN POLLARD, 1718 BLAIR STREET, TO THE PARKS BOARD FOR A TERM TO

EXPIRE JUNE 30, 2000; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF JOHN POLLARD TO THE PARKS BOARD FOR A TERM TO EXPIRE JUNE 30, 2000.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**PULLED FROM THE AGENDA AND REFERRED TO THE PLANNING BOARD**

BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE PARKS AND RECREATION DEPARTMENT HAS EXPRESSED INTEREST IN ACQUIRING PROPERTY IN THE VICINITY OF WASHINGTON PARK AS PART OF THE PROPOSED SOUTHSIDE COMMUNITY CENTER PROJECT AND HAS REQUESTED DIRECTION FROM THE CITY COUNCIL ABOUT COMMENCEMENT OF ACQUISITION OF NEGOTIATIONS; AND

WHEREAS, IF REQUIRED, AN ACT 285 REVIEW MUST BE COMPLETED BEFORE ANY ACQUISITION WOULD BE FINALLY APPROVED BY CITY COUNCIL; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICE RECEIVED THE PARKS AND RECREATION DEPARTMENT RECOMMENDATION AND RECOMMENDS THE CITY NEGOTIATE THE ACQUISITION OF A RIGHT OF FIRST REFUSAL FOR CERTAIN PROPERTIES LOCATED NORTH OF THE SOUTHERN ENTRANCE TO WASHINGTON PARK;

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL AUTHORIZES THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS FOR THE PURCHASE OF RIGHTS OF FIRST REFUSAL OF THE TWO PROPERTIES ADJACENT TO THE NORTH LINE OF THE SOUTH ENTRANCE TO WASHINGTON PARK LOCATED TO THE NORTH ALONG WASHINGTON AVENUE, SUBJECT TO COMPLIANCE WITH THE REQUIREMENTS OF THE CITY CHARTER AND REAL PROPERTY ACQUISITION ORDINANCE, AND FURTHER SUBJECT TO FINAL CITY COUNCIL APPROVAL.

#### **RESOLUTION #175**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE ADMINISTRATION SHALL PROVIDE A DETAILED REPORT OF THE REVENUES AND EXPENDITURES OF THE COMBINED SEWER OVERFLOW PROGRAM, IN FORM AS HAS BEEN DESIGNED BY THE INTERNAL AUDITOR AND CITY ADMINISTRATION, UPON COMPLETION OF EACH YEAR'S ANNUAL YEAR END CLOSING, AND

BE IT FURTHER RESOLVED THAT THE FOLLOWING TRANSFERS BE APPROVED:

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$4,570	CSO-FRinge BENEFITS 593-453681-715000-61230	
\$176	CSO-MISC. & OPER 593-453681-741000-61230	
\$16,009	CSO-BOND ISSUE COSTS 593-453681-741855-61230	
\$20,170	CSO-PROF SERV.-TREES 593-453681-743702-61230	
\$282,415	CSO-DESIGN ELIGIBLE 593-453681-743707-61230	
\$41,735	CSO-CAPITALIZED INTEREST 593-453681-973982-61230	
\$132,800	CSO-CONTINGENCY 593-453681-992000-61230	
\$3,532	CSO-SALARIES-ENGINEERING 593-453681-702018-61231	
\$1,000	CSO-WAGES-ENGINEERING 593-453681-706018-61231	
\$342,854	CSO-RESIDENT ENGINEERING 593-453681-743702-61231	
\$2,629,739	CSO-SEWERS 593-453681-973000-61231	
\$3,475,000		OPER. TRANS.-CSO 593-453683-991414-0
\$3,475,000	EST. REV.-593 FUND 414-0-170001-0	
\$ 176		CSO-MISC. & OPER 414-453681-741000-61230
\$ 16,009		CSO-BOND ISSUE COSTS 414-453681-741855-61230
\$ 20,170		CSO-PROF SERV.-TREES 414-453681-743702-61230
\$ 282,415		CSO-DESIGN ELIGIBLE 414-453681-743707-61230
\$ 41,735		CSO-CAPITALIZED INTEREST 414-453681-973982-61230
\$ 132,800		CSO-CONTINGENCY 414-453681-992000-61230

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$ 351,956		CSO-RESIDENT ENGINEERING 414-453681-743702-61231
\$2,629,739		CSO-SEWERS 414-453681-973000-61231

(SRF LOAN NUMBER 5005-7 FOR 1/2 PORTION OF CSO PROGRAM, ORIGINALLY APPROPRIATED TO "59311 FUND. FUNDS BEING TRANSFERRED TO NEWLY CREATED "414" FUND TO SEPARATELY TRACK EXPENDITURES FROM OTHER SEWAGE FUND DEBT. EXISTING PURCHASE ORDERS TO BE AMENDED TO NEW ACCOUNTS UPON COMPLETION OF TRANSFER. REVENUE DETAIL ACCOUNT 414-0-991593-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,279,050	CSO-SEWERS 593-453682-974100-61231	
\$ 417,450	CSO-LOCAL CONTRIBUTION-CG	
\$ 450,000	CSO-RESIDENT ENGINEERING 593-453482-743702-61231	
\$1,626,816		OPER TRANSFER-CSO 593-453683-991414-0
\$1,259,842		OPERATING TRANSFER-STORMWATER 593-453683-991230-0
\$1,259,842		OPERATING TRANSFER-WASTEWATER 593-453683-991590-0

(PHASE II, SEG. 3, PART 2 (1J) OF THE CSO PROJECT WAS ORIGINALLY CASH FUNDED AS IT WAS UNCERTAIN THAT STATE REVOLVING LOAN FUNDS WOULD BE AVAILABLE. SUBSEQUENTLY, SUCH FUNDS BECAME AVAILABLE. FUNDS ARE NOW BEING TRANSFERRED BACK TO SOURCES IN STORMWATER AND WASTEWATER FUNDS, AND TO THE NEWLY ESTABLISHED COMBINED SEWER OVERFLOW FUND, IN ORDER TO FUND SRF INELIGIBLE PORTIONS OF THE PROJECT. SUBSEQUENT TO TRANSFER, EXISTING PURCHASE ORDERS WILL BE AMENDED TO THE NEW 414 FUND.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$771,833	EST REV-CSO 414-0-170001-0	
\$1,200		CSO-FRinge BENEFITS 414-453682-715000-61230
\$500		CSO-MISC. & OPER 414-453682-741000-61230
\$5,000		CSO-PROF SERV.-TREES 414-453682-743702-61230



AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$67,585		CSO-DESIGN Ineligible 414-453682-743707-61230
\$181,578		CSO-LOCAL CONTRIBUTION C.O. 414-453682-973982-61230
\$1,000		CSO-SALARIES-ENGINEERING 414-453682-702018-61231
\$250		CSO-Wages-Engineering 414-453682-706018-61231
\$118,166		CSO-RESIDENT ENGINEERING 414-453682-743702-61231
\$396,554		CSO-SEWERS 414-453682-973000-61231

(REVENUE DETAIL ACCOUNT 414-O-596593-O. OPERATING TRANSFER FOR SRF INELIGIBLE PORTION OF PHASE II, SEG. 3, PART I OF SEWER SEPARATION PROJECT.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$854,983	EST REV-CSO 414-0-170001-0	
\$1,470		CSO-FRinge BENEFITS 414-453682-715000-61235
\$500		CSO-MISC. & OPER 414-453682-741000-61235
\$27,760		CSO-DESIGN INELIGIBLE 414-453682-743707-61235
\$224,087		CSO-LOCAL CONTRIBUTION C.O. 414-453682-973982-61235
\$2,000		CSO-SALARIES-ENGINEERING 414-453682-702018-61236
\$530		CSO-WAGES-ENGINEERING 414-453682-706018-61236
\$52,696		CSO-RESIDENT ENGINEERING 414-453682-743702-61236
\$545,940		SEWERS 414-453682-973000-61236

(REVENUE DETAIL ACCOUNT 414-O-596593-O. OPERATING TRANSFER FOR INELIGIBLE PORTION OF PHASE II, SEG. 3, PART 2 OF SEWER SEPARATION PROJECT.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,259,842	ESTIMATED REVENUE-SEWAGE FUND 590-0-170001-0	SEWAGE FUND-FUND BALANCE 590-0-390001-0

(RETURN OF EXCESS CASH FUNDING SUBSEQUENT TO APPROVAL OF SRF LOAN 5005-08, AND TRANSFER OF SRF INELIGIBLE FUNDING TO CSO FUND. REVENUE DETAIL ACCOUNT 590-O-696593.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,259,842	ESTIMATED REVENUE-STORMWATER FUND 230-0-170001-0	SEWAGE FUND-FUND BALANCE 230-0-390001-0

(RETURN OF EXCESS CASH FUNDING SUBSEQUENT TO APPROVAL OF SRF LOAN 5005-08, AND TRANSFER OF SRF INELIGIBLE FUNDING TO CSO FUND. REVENUE DETAIL ACCOUNT 230-O-696593.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,995,000	ESTIMATED REVENUES-CSO 414-0-170001-0	
\$200,793		DESIGN ELIGIBLE 414-453681-743707-61235
\$8,000		BOND ISSUE COSTS 414-453681-741855-61235
\$1,279		MISC. & OPER. Expenses 414-453681-741000-61235
\$63,182		CAPITALIZED INTEREST 414-453681-973982-61235
\$153,867		CONTINGENCY 414-453681-992000-61235
\$379,039		RESIDENT Engineering 414-453681-743702-61236
\$3,188,840		SEWERS 414-453681-973000-61236

(APPROPRIATION OF STATE REVOLVING LOAN FUNDS TO PHASE II, SEG. 3, PART 2 OF PROJECT. REVENUE DETAIL ACCOUNT 414-O-695000-61230, SRF LOAN 5005-08.)

BE IT FINALLY RESOLVED THAT THE FOLLOWING TRANSFERS BE APPROVED:

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,963	EST REV-GEN FUND 101-0-170001-0	POLICE DEPT.-CTRL 101-343201-992200-0
\$5,963	POLICE DEPT. -CTRL 101-343201-992200-0	POLICE-HUMAN RESOURCE SALARY 101-343212-702000-0

("MICHIGAN WORKS" REIMBURSEMENT FOR POLICE CADET WAGES. REVENUE DETAIL ACCOUNT 101-O-675000.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$7,000	EST. REV-GEN. FUND 101-0-170001-0	POLICE DEPT.-CTRL 101-343201-992200-0
\$7,000	POLICE DEPT. -CTRL 101-343201-743000-0	ADMIN.-PROF. SERV. 101-343201-743000-0

(STATE OF MICHIGAN REIMBURSEMENT FOR POLICE ACADEMY RECRUIT EXPENSES. REVENUE DETAIL ACCOUNT 101-575100-0)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$7,102	GEN. ADMIN-EST. VACANCIES 101-173901-701001-0	GEN. ADMIN.-CTRL 101-173901-992200-0
\$7,102	GEN. ADMIN-CTRL 101-173901-992200-0	PLANNING & NEIGHBORHOOD DEVEL.-CTRL 101-172601-992200-0
\$7,102	PLANNING & NEIGHBORHOOD DEVEL. -CTRL 101-172601-992200-0	PLANNING SALARIES & LONGEVITY 101-172620-702000-0

(COST FOR HISTORIC PLANNER POSITION BEGINNING 4/28/97 FOR BALANCE OF FISCAL YEAR PER WAYS & MEANS COMMITTEE ACTION AT THE TIME OF AUTHORIZATION OF THIS POSITION.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$6,000	1990 ENV. BONDS-UST UPGRADE 411-933190-977007-44111	
\$3,550		CREGO HYDRO INVESTIGATION 411-933690-743713-40302
\$9,550		UST CITY HALL 411-933190-977007-44118

(COMPLETION OF MDEQ REQUIRED STUDY OF UNDERGROUND TANK.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$56,651.82	1990 ENV. BONDS-UST UPGRADE 411-933190-977007-44111	UST O & M 411-933190-97700 7-44112

(COMPLETION OF MDEQ REQUIRED RESPONSE ACTIVITIES AT O & M.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$54,400	1990 ENV. BONDS-UST UPGRADE 411-933 190-977007-44111	

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$15,014.64	DIAMOND REO CLEAN-UP 411-933690-971005-43901	
\$411.07	DIAMOND REO HYDRO STUDY 411-933690-743713-43904	
\$1881.82	DIAMOND REO SHALLOW AQUIFER 411-33690-743713-43907	
\$71,707.53		DIAMOND REO PHASE B 411-933690-971005-43908

(COMPLETION OF MDEQ REQUIRED RESPONSE ACTIVITIES AT DIAMOND REO.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #176**  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING IS NAMED AS A DEFENDANT IN A WORKERS' COMPENSATION ACTION, SSN 409-86-2217, INVOLVING ALLEGED WORK RELATED INJURIES; AND

WHEREAS, IT IS PROPOSED THAT SAID ACTION BE RESOLVED BY VIRTUE OF ENTERING INTO A SETTLEMENT AGREEMENT IN WHICH THE CITY OF LANSING WOULD AGREE TO PAY TO PLAINTIFF THE SUM OF EIGHTY-EIGHT THOUSAND DOLLARS (\$88,000) IN EXCHANGE FOR A COMPLETE REDEMPTION AND RELEASE OF THE CITY FROM ANY PAST, PRESENT, AND FUTURE LIABILITY REGARDING ANY ALLEGED INJURIES WHATSOEVER; AND

WHEREAS, THE PROPOSED SETTLEMENT IS RECOMMENDED BY THE MAYOR, THE PERSONNEL DEPARTMENT, THE CITY OF LANSING FUND ADMINISTRATOR, AND THE CITY ATTORNEY;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY APPROVE THE PAYMENT OF EIGHTY-EIGHT THOUSAND DOLLARS (\$88,000) PURSUANT TO SAID PROPOSED SETTLEMENT AGREEMENT AS A FULL AND FINAL SETTLEMENT OF SAID ACTION.

BE IT FINALLY RESOLVED THAT THE LAW DEPARTMENT IS AUTHORIZED TO PREPARE AND EXECUTE THE REQUISITE DOCUMENTS TO COMPLETE SETTLEMENT OF THE AFOREMENTIONED LAWSUIT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #177**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL

WHEREAS, THE CITY CHARTER PROVIDES FOR AN ANNUAL PUBLIC HEARING ON THE CITY'S PROPOSED BUDGET, INCLUDING CAPITAL IMPROVEMENTS, AND THE TAX LEVY NECESSARY TO SUPPORT THE PROJECTED LEVEL OF EXPENDITURES, AND

WHEREAS, THE MAYOR HAS PROPOSED AN ANNUAL BUDGET FOR FY 1997-98 OF \$146,769,826, INCLUDING PROPOSED GENERAL FUND EXPENDITURES OF \$93,639,318, AND

WHEREAS, PROPOSED CAPITAL REPAIRS AND IMPROVEMENTS FROM ALL FUNDING SOURCES TOTAL \$38,946,178, AND

WHEREAS, THE OPERATING TAX LEVY ESTIMATED TO BE NECESSARY TO SUPPORT THE PROPOSED BUDGET REMAINS THE SAME, AT 15.04 MILLS, AND

WHEREAS, THE DEBT SERVICE TAX LEVY IS PROPOSED TO BE REDUCED FROM 2.36 TO 2.06 MILLS DUE TO FAVORABLE RATES ON REFINANCING OF 1988 AND 1990 ENVIRONMENTAL BONDS, AND

WHEREAS, THE COUNCIL AND THE MAYOR SOLICIT THE COMMENTS OF RESIDENTS ON PROPOSED CITY EXPENDITURES, CAPITAL IMPROVEMENTS, AND THE TAX LEVY.

NOW THEREFORE BE IT RESOLVED THAT THE TIME FOR THE ANNUAL PUBLIC HEARING IN REGARD TO THE 1997-98 CITY BUDGET, CAPITAL IMPROVEMENTS, AND THE CITY TAX LEVY BE SET FOR MONDAY, MAY 12, 1997, IN THE CITY COUNCIL CHAMBERS, AT 7:00 P. M., AND

BE IT FURTHER RESOLVED THAT NOTICE OF THIS HEARING BE PUBLISHED IN CONFORMANCE WITH MCL 141.412.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**ORDINANCES FOR INTRODUCTION  
ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER LEEMAN

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LEEMAN:

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON PUBLIC SERVICES:

BY COUNCILMEMBER LEEMAN:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1026, SECTION 1026.02, FOR THE PURPOSE OF PROVIDING A ONE YEAR TIME LIMIT FOR CIRCULATION OF OWNERSHIP PETITIONS FOR PUBLIC IMPROVEMENTS TO BE FUNDED THROUGH THE SPECIAL ASSESSMENT PROCESS, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON PUBLIC SERVICES:

BY COUNCILMEMBER LEEMAN:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1026, SECTION 1026.02, FOR THE PURPOSE OF PROVIDING A ONE YEAR TIME LIMIT FOR CIRCULATION OF OWNERSHIP PETITIONS FOR PUBLIC IMPROVEMENTS TO BE FUNDED THROUGH THE SPECIAL ASSESSMENT PROCESS, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY,

NAYS: NONE

ABSENT: COUNCILMEMBER NOVAK

**ORDINANCE NO. 967**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1026, SECTION 1026.02, FOR THE PURPOSE OF PROVIDING A ONE YEAR TIME LIMIT FOR CIRCULATION OF OWNERSHIP PETITIONS FOR PUBLIC IMPROVEMENTS TO BE FUNDED THROUGH THE SPECIAL ASSESSMENT PROCESS.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT PART 10, CHAPTER 1026.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO BE READ AS FOLLOWS:

1026.02. INITIATION OF PUBLIC IMPROVEMENT BY PETITION.

INITIATION OF PUBLIC IMPROVEMENTS UNDER THIS CHAPTER MAY BE BY PETITION TO COUNCIL SIGNED BY THE RECORD OWNERS OF NOT LESS THAN FIFTY-ONE PERCENT OF THE PROPERTY WHICH IS TO BE BENEFITED. SUCH PETITION SHALL SET FORTH THE LOCATION, EXTENT AND CHARACTER OF THE DESIRED PUBLIC IMPROVEMENT AND SHALL SHOW ON ITS FACE THE DATE OF THE INITIATION OF THE CIRCULATION OF THE PETITION. THE REQUIRED SIGNATURES OF FIFTY-ONE PERCENT OF THE RECORDED PROPERTY OWNERS AND THE FILING OF THE PETITION WITH THE CITY CLERK SHALL BE COMPLETED WITHIN ONE CALENDAR YEAR OF THE STATED DATE OF INITIATION OF THE PETITION OR IT SHALL BE DEEMED VOID AND OF NO EFFECT. NOTHING IN THIS SECTION

SHALL PROHIBIT THE INITIATION OF MORE THAN ONE PETITION FOR ANY LOCATION AND DESIRED IMPROVEMENT. UPON RECEIPT OF PROVIDED IN THIS TITLE TWO OF PART TEN, THE STREETS, UTILITIES AND PUBLIC SERVICES CODE, FOR PUBLIC IMPROVEMENTS INITIATED BY COUNCIL.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

### OTHER BUSINESS

#### ► PUBLIC COMMENT

RUSSELL TERRY OF 121 E. MT. HOPE SAID THAT LOW-INCOME HOME OWNERS IN LANSING CANNOT AFFORD TO PAY THE RAIN FEE.

RICARDO TORREZ OF 1919 S. M.L. KING, JR. BLVD. SPOKE IN SUPPORT OF THE PETITION FOR Z-04-97, FILED BY ARBOR DRUGS. HE STATED THAT HE HAS BEEN OUT CIRCULATING PETITIONS IN THIS NEIGHBORHOOD AND HAS FOUND OVERWHELMING SUPPORT FOR THIS REZONING.

JASON HARRIS OF 1919 N. M.L. KING, JR. BLVD. SPOKE IN SUPPORT OF Z-04-97 FILED BY ARBOR DRUGS. HE HAS ALSO BEEN CIRCULATING PETITIONS IN SUPPORT OF THIS REZONING. ONLY TWO PEOPLE HAVE INDICATED THEIR LACK OF SUPPORT FOR THIS PROPOSAL. THERE IS CURRENTLY A STORE ON THIS PROPERTY THAT HAS CAUSED MANY PROBLEMS FOR THE NEIGHBORS.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. EXHORTED THE PUBLIC NOT TO FORGET THE DEATHS OF EDWARD SWANS, REX BELL, JESSE TEJIRENA, AND GARY BOZEK, AND TO JOIN WITH THE MARCH FOR JUSTICE THIS SATURDAY, APRIL 26, 1997 AT 9:30 AT SEXTON HIGH SCHOOL FOR THEIR SECOND MARCH.

TOM SMITH OF 722 LOGAN URGED COUNCILMEMBERS TO OVERRIDE THE GENERAL MOTORS VETO OF THE SEWER CRISIS.

LLOYD TEETS OF 116 E. ELM ST. URGED THE PUBLIC TO SUPPORT THE MARCH FOR JUSTICE THIS SATURDAY AT SEXTON HIGH SCHOOL. HE STATED HIS DISPLEASURE IN THE FACT THAT COUNCIL PULLED THE RESOLUTIONS OVERRIDING THE MAYORAL VETO OF THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. HE STATED HIS OPINION THAT THE EHA METHODOLOGY IS FLAWED, AND HAS ALWAYS BEEN FLAWED, AGAINST THE SIDE OF THE RESIDENTS.

MELANIE ROGERS OF 409 W. WILLOW STATED THAT 1/2 OF THE WEST SIDE OF HER HOUSE IS SIDED AS OF LAST

WEEKEND. SHE SAID THAT THERE ARE A LOT OF PEOPLE IN THE CITY'S NEIGHBORHOODS WHO FEEL THAT THEY HAVE BEEN MISTREATED BY THE CODE COMPLIANCE DIVISION OF THE PLANNING AND NEIGHBORHOOD DEVELOPMENT OFFICE.

PETER BUNTON OF 3311 BRISBANE DR. CRITICIZED MAYOR HOLLISTER FOR LEAVING THE MEETING PRIOR TO THIS SEGMENT OF PUBLIC COMMENTS. HE STATED THAT THE MARCH FOR JUSTICE IS BOYCOTTING THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE, WHICH IS SCHEDULED TO BE HELD AT RIVERVIEW. MAYOR HOLLISTER HAS NEVER SCHEDULED ANY OTHER CONFERENCES TO BE HELD AT THIS FACILITY, WHY SHOULD HE PLAN THE POLICE AND COMMUNITY RELATIONS CONFERENCE TO BE HELD THERE. HE ACCUSED MAYOR HOLLISTER OF PITTING ONE GROUP OF PEOPLE AGAINST ANOTHER. HE URGED ATTENDANCE AT THE SECOND MARCH FOR JUSTICE.

REVEREND LESTER STONE OF 1603 W. KALAMAZOO, PASTOR OF THE FRIENDSHIP BAPTIST CHURCH INVITED EVERYONE IN THE CITY OF LANSING AND ALL RESIDENTS OF INGHAM COUNTY TO JOIN THE MARCH FOR JUSTICE THIS SATURDAY. THERE WILL BE PEOPLE FROM ALL PARTS OF THE STATE IN ATTENDANCE. DETROIT WILL BE REPRESENTED, FLINT WILL BE REPRESENTED, GRAND RAPIDS WILL BE THERE. EVERYONE IS COMING TO SUPPORT THEIR ATTEMPTS TO END THE USE OF EXCESSIVE FORCE AND POLICE BRUTALITY. HE STATED HIS INTENT TO BOYCOTT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE, BECAUSE IT WAS PLANNED WITHOUT THE INPUT OF THE BLACK COMMUNITY. THE ADMINISTRATION, HE SAID, HAS NO SENSE OF JUSTICE, OR FAIRNESS.

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SAID THAT SHE REPRESENTS ANYONE WHO IS AGAINST THE MARCH FOR JUSTICE. THEY ARE NOT BEING TRUTHFUL ABOUT THEIR MOTIVES.

J.C. RINGENBERG OF 1013 W. MT. HOPE STATED HER OPPOSITION TO Z-04-97, PETITION FOR REZONING FILED BY ARBOR DRUGS. SHE ASKED THAT EVERYONE WHO SUPPORTS THIS REZONING PETITION TO CALL HER AT 371-1622.

MIKE ZDEBSKY OF 1024 POXSON ASKED COUNCIL TO SEE THAT THE VACANT PLANNING BOARD SEAT REPRESENTING THEIR NEIGHBORHOOD GETS FILLED. THIS VACANCY ADVERSELY AFFECTS THEIR NEIGHBORHOOD.

ALEXANDER BOLT OF 1230 REO RD. STATED HIS DISAPPOINTMENT THAT THE OVERRIDE RESOLUTIONS WERE NOT PASSED. THERE SHOULD BE NO CONFLICT BETWEEN GENERAL MOTORS AND THE RESIDENTS OF THIS CITY.

KELLY PROPER OF 111 E. CAVANAUGH SAID THAT HER LETTER IS MISREPRESENTED ON TONIGHT'S AGENDA. THIS LETTER IS NOT ABOUT A TRAFFIC PROBLEM AT CAVANAUGH SCHOOL, RATHER, IT IS ABOUT A LITTLE USED STATE LAW THAT WOULD SOLVE TRAFFIC PROBLEMS AT ALL SCHOOLS IN THE CITY. THIS PUBLIC ACT WOULD IMPOSE STIFFER TRAFFIC FINES FOR PEOPLE WHO ARE TICKETED IN SCHOOL

ZONES DURING SCHOOL HOURS.

BARBARA PRENTLER OF 1122 PLATT ST. STATED A PROBLEM SHE HAS WITH PROPERTY LOCATED AT 1128 PLATT ST., WHICH IS OWNED BY JIM VANDEBUNTE. THERE IS A DUMPSTER SITTING ON THIS PROPERTY AND OVERFLOWING WITH TRASH, WHICH FLIES OUT AND GETS BLOWN INTO NEIGHBORING YARDS. THIS DUMPSTER SMELLS VERY BADLY AND ATTRACTS FLIES AND RODENTS. COUNCILMEMBER JONES ADVISED MRS. PRENTLER TO CONTACT PRISCILLA HOLMES OF THE LAND COMMITTEE FOR ASSISTANCE WITH THIS PROBLEM.

COUNCILMEMBER ALLEN REQUESTED THAT MRS. PRENTLER STATE HER PHONE NUMBER SO THAT SHE CAN CONTACT HER REGARDING THIS SITUATION. MRS. PRENTLER RECITED HER PHONE NUMBER AS 482-8805.

COUNCILMEMBER LEEMAN REFLECTED THAT THIS HOUSE HAS BEEN A PROBLEM FOR MANY YEARS. HE ASKED THE CITY ATTORNEY TO LOOK INTO WAYS OF RESOLVING THIS MATTERS.

ED SIMMER OF 2609 DYER SPOKE IN SUPPORT OF THE FORMATION OF A CITIZENS REVIEW BOARD TO HANDLE COMPLAINTS AGAINST LPD OFFICERS. THE BOARD OF POLICE COMMISSIONERS IS A JOKE. WHAT WE NEED IS A COUNTY-WIDE REVIEW BOARD FOR THE STATE OF MICHIGAN.

CONNIE DELANEY OF 3721 AURELIUS RD. CRITICIZED COUNCILMEMBERS FOR FAILING TO PASS THE RESOLUTIONS OVERRIDING MAYOR HOLLISTER'S VETO OF THE REPEAL OF THE STORMWATER ORDINANCE.

ALBERTA JORDAN, NO ADDRESS GIVEN, URGED THE PUBLIC TO ATTEND AND SUPPORT THE SECOND MARCH FOR JUSTICE TO BE HELD APRIL 26, 1997 AT 9:30 A.M., STARTING AT SEXTON HIGH SCHOOL.

AMMAHAD SHEKARAKKI OF 902 WILLOW THANKED COUNCILMEMBERS FOR HONORING JACKIE ROBINSON AT LAST WEEK'S MEETING. HE URGED THEM TO ATTEND THE SECOND MARCH FOR JUSTICE TO BE HELD THIS COMING WEEKEND. HE SAID THAT THIS IS NOT A RACIAL ISSUE, THEY WANT EVERYONE TO ATTEND. THEY WILL CONTINUE TO AGITATE AND STIR THINGS UP UNTIL THEY GET WHAT THEY WANT.

CARL HUMPHREY OF 524 S. CHESTNUT SPOKE REGARDING THE NEED FOR HOUSING FOR THE HOMELESS.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, MI, SAID THAT CITY COUNCIL'S FAILURE TO OVERRIDE MAYOR HOLLISTER'S VETO IS THE WORST FAILURE THAT HAS BEEN DUMPED ON THE RESIDENTS OF THIS CITY. THEY NO LONGER RESPECT THEIR COUNCILMEMBERS. THE GREATEST FRAUD EVER WROUGHT UPON THE CITIZENS OF THIS CITY WILL COME TO AN END. WHATEVER IT TAKES, COUNCILMEMBERS MUST GO, WHATEVER THEY HAVE TO DO.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #178 REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, TO WHOM WAS REFERRED ORDINANCE AMENDMENT TO CHAPTER 1026, SECTION 1026.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN FOR THE PURPOSE OF PROVIDING FOR A ONE YEAR TIME LIMIT FOR CIRCULATION OF OWNERSHIP PETITIONS FOR PUBLIC IMPROVEMENTS TO BE FUNDED THROUGH THE SPECIAL ASSESSMENT PROCESS.,

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE ORDINANCE AMENDMENT BE ADOPTED.

SIGNED: HAROLD LEEMAN, CHAIRPERSON  
HOWARD JONES  
RICK LILLY

BY COUNCILMEMBER LEEMAN

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

### RESOLUTION #179 REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, REPORTS THAT A STATE OF MICHIGAN PUBLIC HEARING WILL BE HELD ON MAY 13, 1997, REGARDING THE CITY'S APPLICATION TO RENEW THEIR WASTEWATER NPDES PERMIT.

THIS REPORT IS FOR INFORMATION AND NO ACTION IS REQUIRED.

SIGNED: HAROLD LEEMAN, CHAIRPERSON  
HOWARD JONES  
RICK LILLY

BY COUNCILMEMBER LEEMAN

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

## CITY OFFICERS & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL: TRANSFER CLASS C: CENTENO'S PICK UP TACO, INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. NEWSLETTER FROM THE PRINCIPAL SHOPPING DISTRICT

RECEIVED AND PLACED ON FILE (INFORMATIONAL COPY SENT TO PUBLIC SERVICES COMMITTEE)

4. LETTER FROM LISA SCHULTZ OF THE PUBLIC SERVICE DEPARTMENT TO MR. GEORGE SCHRAFT 3329 TECUMSEH RIVER RD. REGARDING HIS REQUEST FOR RESURFACING OF TECUMSEH RIVER RD.

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

5. LETTERS FROM THE MAYOR RE:

A/ PROPOSAL FOR USE OF 1995 EMERGENCY SHELTER GRANT (ESG) FUNDS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B/ LETTER FROM RODIVILLE & HELEN MORRIS IN SUPPORT OF THE STORMWATER ENTERPRISE FUND

RECEIVED AND PLACED ON FILE

C/ LETTERS OF APPRECIATION FROM KAROL L. WHITE, MICHIGAN ASSOCIATION OF BROADCASTERS REGARDING THEIR CONFERENCE AT THE LANSING CENTER ON FEBRUARY 25-26, 1997

RECEIVED AND PLACED ON FILE

D/ TRANSFER OF FUNDS: LPD, FINANCE DEPARTMENT, GENERAL ADMINISTRATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS; SECOND ANNUAL 911 FOOTBALL CLASSIC

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

F. APPOINTMENT OF KEVIN C. O'MALLEY TO THE CAPITAL AREA DISTRICT LIBRARY BOARD, TERM TO EXPIRE APRIL 15, 1999

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

G. APPOINTMENT OF JOAN TREZISE TO THE CAPITAL AREA DISTRICT LIBRARY BOARD, TERM TO EXPIRE APRIL 15, 1998

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

H. LETTER OF APPRECIATION FROM TIM METTS, CHIEF OF POLICE, LESLIE POLICE DEPARTMENT TO JIM ANDERSON, CENTRAL GARAGE

RECEIVED AND PLACED ON FILE

## COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. PETITION CONTAINING 102 SIGNATURES IN SUPPORT OF Z-04-97 REZONING PETITION

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. SLU-02-97; 725 E. SAGINAW ST., PETITION FOR SPECIAL LAND USE FILED BY PRUDDEN INVESTMENT LLC TO ALLOW FOR THE DEVELOPMENT OF MULTI-FAMILY HOUSING

REFERRED TO THE MAYOR AND THE PLANNING BOARD

3. LETTER FROM SHIRLEY HOWELL OF 1037 W. MT. HOPE REGARDING PROBLEMS (INCLUDING PUBLIC URINATION, DRUG USE, PROSTITUTION) CAUSED BY THE SHORT STOP MARKET LOCATED AT THE SE CORNER OF MT. HOPE AND DR. MARTIN LUTHER KING, JR. BLVD.

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

4. POSTCARD FROM P. FEHRENBACH OF 1909 MARION AVE. IN OPPOSITION TO Z-04-97

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

5. LETTER FROM CAROL L. SENTERS OF 5830 ROCKINGHAM DR. IN SUPPORT OF THE STORMWATER ENTERPRISE FUND

RECEIVED AND PLACED ON FILE

6. LETTER FROM KELLY L. PROPER OF 111 E. CAVANAUGH REGARDING THE TRAFFIC PROBLEMS NEAR CAVANAUGH ELEMENTARY SCHOOL

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. LETTER FROM DOLORES MAIDLOW-KRAMER IN SUPPORT OF A COMMODITIES BASED SEWER RATE METHODOLOGY

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8. LETTERS FROM CHRISTINE TIMMON RE:

- HOODLUM PRIESTS, GANGSTA PASTORS, REBEL REVERENDS AND DEBBIE STABENOW

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND THE MAYOR

- THE MISSING LINK IN THE MARCH FOR JUSTICE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. LETTER FROM SHANTAE E. CANNON, NO ADDRESS GIVEN, REGARDING THE PLACEMENT OF HER DAUGHTER IN A CHILD FOSTER CARE FACILITY BY JUDGE ECONOMY, AND A FALSE ACCUSATION OF "CHILD ABUSE"

RECEIVED AND PLACED ON FILE

### **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER BENAVIDES

TO EXCUSE COUNCILMEMBER NOVAK FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BENAVIDES RESPONDED TO COMMENTS MADE BY MIKE MARKEY WITH REGARD TO THE NEIGHBORHOOD ENTERPRISE ZONES. THIS ISSUE WAS DISCUSSED IN THE COMMITTEE ON DEVELOPMENT AND PLANNING LAST WEEK. THEY ARE AWARE THAT THE MASTER PLAN NEEDS TO BE SPEEDED UP. THEY NEED TO KNOW EXACTLY WHAT THE PLANNING DEPARTMENT IS DEVELOPING FOR THE CITY. THEY HAVE BEEN VERY TIGHT LIPPED TO THE COMMUNITY ABOUT WHAT THEIR PLANS ARE. THEY SHOULD, AT THE VERY LEAST, BE COMMUNICATING WITH COUNCILMEMBERS WHO ARE THE ONES THAT MOST LIKELY TO RECEIVE COMPLAINTS, ABOUT WHAT THEIR PLANS ARE. HE SHOULD HAVE GOTTEN INFORMATION FROM THE PLANNING DEPARTMENT ABOUT WHAT THE PLANS FOR WEXFORD ST. ARE AND WHAT IS GOING TO HAPPEN IN THIS AREA. COUNCIL SHOULD NOT JUST APPROVE THE CDBG BUDGET WHICH CONTAINS PROVISIONS THEY HAVE NOT BEEN GIVEN THE OPPORTUNITY TO STUDY.

COUNCILMEMBER JONES AGREED WITH THE COMMENTS MADE BY COUNCILMEMBER BENAVIDES. THE PLANNING DEPARTMENT USED TO BE MORE CONSCIENTIOUS ABOUT GETTING INFORMATION OUT TO RESIDENTS AND COUNCILMEMBERS WITH REGARD TO THEIR NEIGHBORHOODS.

COUNCILMEMBER LEEMAN SAID THAT HE BELIEVES THAT THERE ARE TWO ISSUES BEING CONFUSED HERE. ONE OF TONIGHT'S PUBLIC HEARINGS WAS ON THE CDBG BUDGET, THE OTHER WAS ON THE ESTABLISHMENT OF NEIGHBORHOOD ZONES. HE ASKED LIZA ESTLUND OLSON, CHIEF OF STAFF TO MAYOR HOLLISTER, FOR A STATUS REPORT WITH REGARD TO THE ISSUE OF CEMENT CONTRACTORS THAT HE RAISED LAST WEEK. HE ALSO ASKED ABOUT THE STATUS OF THE NEIGHBORHOOD GRANT APPLICATIONS.

COUNCILMEMBER BAUER COMMENDED ALL OF THE VOLUNTEERS WHO PARTICIPATED IN EARTH DAY. SHE ANNOUNCED THAT FIFTEEN (15) LANSING AREA RESIDENTS HAVE BEEN SELECTED TO ATTEND A SUMMIT IN PHILADELPHIA ON VOLUNTEERISM. THIS COMING SATURDAY

IS THE ANNUAL "ADOPT A RIVER" EVENT, AND SHE URGED PROSPECTIVE VOLUNTEERS TO CALL THE COUNCIL OFFICE NUMBER TO SIGN UP. SHE THANKED THE BOARD OF WATER & LIGHT FOR EVERYTHING THEY DO TO REHABILITATE THE RIVER. SHE ANNOUNCED THAT INGHAM COUNTY HAS APPOINTED 5 MEMBERS TO THE DISTRICT LIBRARY BOARD. TWO OF THE 5 ARE LANSING RESIDENTS. SHE ASKED PEOPLE INTERESTED IN WORKING ON THE DISTRICT LIBRARY MILLAGE PROPOSAL TO CONTACT 676-9693 TO VOLUNTEER.

COUNCILMEMBER JONES COMMENTED ON WHAT HE TERMED "THE MONOPOLISTIC PRESS IN THIS CITY, OWNED BY THE GANNET CORPORATION." HE URGED CITIZENS TO READ "THE CHAIN GANG" TO SEE HOW THEY HAVE GONE ABOUT THE DESTRUCTION OF OPPOSITION NEWSPAPERS ACROSS THE COUNTRY.

COUNCILMEMBER BEAL THANKED THE VOLUNTEERS WHO PARTICIPATED IN "NET DAY" LAST SATURDAY. SHE SENT CONDOLENCES TO THE FAMILY AND FRIENDS OF PHIL ALBER. SHE REPORTED ATTENDING A MEMORIAL SERVICE FOR MARGE OJIBWAY. SHE CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE COMMITTEE OF THE WHOLE THIS THURSDAY AT 4:30 P.M. SHE INFORMED ALL MARCH FOR JUSTICE PARTICIPANTS THAT COUNCILMEMBERS WILL NOT BE ABLE TO ATTEND THE SECOND MARCH. THEY WILL BE IN BUDGET MEETINGS THE ENTIRE DAY, NOR WILL THEY BE ABLE TO ATTEND THE FRIENDS OF THE RIVER, CLEAN RIVER EVENT.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

LIZA ESTLUND OLSON, MAYOR HOLLISTER'S CHIEF OF STAFF, IN RESPONSE TO COUNCILMEMBER LEEMAN'S QUESTIONS, STATED THAT THE REASON THE CITY HAS CONTRACTED WITH A NOVI CEMENT CONTRACTOR IS BECAUSE THEY WERE THE LOW BIDDER ON THE JOB. THERE IS NO RESIDENTIAL PREFERENCE CLAUSE IN OUR PURCHASING ORDINANCE THAT WOULD ALLOW THEM TO GO WITH A LOCAL BIDDER. THE NEIGHBORHOOD GRANT APPLICATIONS WERE SUBMITTED LAST FRIDAY AND NOTICE OF GRANT AMOUNTS IS EXPECTED THIS WEEK.

SHE NOTED THAT THE EARTH DAY CELEBRATION THAT WAS HELD THIS WEEK WAS THE FIRST TIME LANSING HAS WORKED WITH EAST LANSING ON THIS EVENT, AND WE HOPE TO DO SO AGAIN NEXT YEAR. SHE ANNOUNCED THAT THE SESQUICENTENNIAL COMMITTEE IS LOOKING FOR VOLUNTEERS TO BUILD A FLOAT FOR THE MICHIGAN PARADES INTO THE TWENTY-FIRST CENTURY PARADE. INTERESTED PARTIES MAY CALL 483-4275 TO VOLUNTEER. SHE REMINDED THE COMMUNITY THAT CLYDE BLACKWELL'S FUNERAL WILL BE HELD TOMORROW AT GORSELINE RUNCIMAN FUNERAL HOME AT 4:00 P.M.

**ADJOURNED 9:40 P.M.**

**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS APRIL 28, 1997**

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CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE  
LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER BENAVIDES

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
APRIL 14, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBERS JONES; A SUBSTITUTE  
RESOLUTION FOR ITEM #VIII B-2, RESOLUTION  
REQUESTING SUPREME COURT REVIEW OF THE  
STORMWATER ENTERPRISE ORDINANCE LAWSUIT

2. FROM COUNCILMEMBER LEEMAN; A REQUEST FOR  
APPROPRIATION OF COMMUNITY PROMOTION FUNDS  
FROM THE NORTH LANSING COMMUNITY ASSOCIATION

3. FROM COUNCILMEMBER LEEMAN; A LETTER FROM  
THE FRIENDS OF BANCROFT PARK REGARDING THE  
BUDGET PROCESS

4. FROM COUNCILMEMBER ALLEN; A REQUEST TO  
PULL ITEM #IX A-3B, COMMITTEE REPORT FROM THE  
COMMITTEE ON PUBLIC SAFETY REGARDING THE POLICE  
DEPARTMENT EXCHANGE PROGRAM

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE  
PORTION OF THE REGULAR MEETING TO WHICH  
THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

COUNCILMEMBER BEAL REMINDED THE PUBLIC THAT  
THE SPRING SPECTACULAR WILL BE HELD TOMORROW  
AT THE WHARTON CENTER AT MSU. THIS IS TO BENEFIT  
THE LANSING EDUCATION FOUNDATION AND BEGINS AT  
7:00 P.M. TICKETS ARE \$10.00. LANSING AREA  
HIGH SCHOOL STUDENTS WILL BE PERFORMING.

MAYOR HOLLISTER ANNOUNCED THAT THIS WEEKEND  
SPARROW HOSPITAL WILL BEGIN CONSTRUCTION ON  
THEIR SKYWALK ACROSS MICHIGAN AVENUE. MICHIGAN  
AVE. WILL BE BLOCKED OFF TEMPORARILY DURING  
THIS CONSTRUCTION. HE URGED RESIDENTS TO  
PREPARE FOR TRAFFIC BLOCKAGES RELATED TO THIS  
PROJECT.

COUNCILMEMBER ALLEN ASKED THAT THIS INFORMATION  
BE BROADCAST ON CHANNEL 28.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC HEARINGS

THERE WERE NO PUBLIC HEARINGS

► PUBLIC COMMENT ON LEGISLATIVE MATTERS

DARNELL OLDHAM SR. OF 3815 BERWICK SAID, THAT  
AS A MEMBER OF THE BOARD OF THE KINGSLEY  
COMMUNITY CENTER, HE DOES NOT UNDERSTAND WHY  
THEY HAVE NEVER RECEIVED AN ALLOCATION OF  
UNCLAIMED BICYCLES FROM CITY COUNCIL. HE  
CRITICIZED COUNCILMEMBER NOVAK FOR NOT DOING  
MORE FOR THE CENTER, WHICH IS IN HIS WARD.  
GROUPS AT KINGSLEY CENTER SHOULD NOT BE  
CHARGED FOR THE USE OF THE ROOMS. HE STATED  
HIS SUPPORT FOR A SUPREME COURT RULING WITH  
REGARD TO THE LEGALITY OF THE STORMWATER  
ENTERPRISE FUND ORDINANCE.

J.C. RINGENBERG OF 1013 W. MT. HOPE SPOKE IN  
OPPOSITION TO THE PETITION FOR REZONING, Z-O4-  
97, FOR ARBOR DRUGS. SHE READ A PORTION OF  
THE MASTER PLAN FOR THIS AREA. THE MASTER PLAN,



SHE SAID, IS MORE THAN 20 YEARS OLD, NEVERTHELESS, THEY DO NOT NEED ADDITIONAL TRAFFIC IN THIS AREA.

MIKE ZDEBSKI OF 1024 POXSON STATED HIS OPPOSITION TO Z-04-97. HE URGED COUNCILMEMBERS TO GIVE THIS PROPOSAL CAREFUL CONSIDERATION. IT WOULD PUT TOO MUCH TRAFFIC IN THEIR NEIGHBORHOOD.

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN SUPPORT OF THE RESOLUTION PULLED FROM THE AGENDA BY MOTION OF COUNCILMEMBER JONES, THAT WOULD REQUEST THAT THE SUPREME COURT GRANT THE APPEAL OF CARTO'S (CITIZENS TO ABOLISH THE RAIN TAX ORDINANCE) LAWSUIT AGAINST THE STORMWATER ENTERPRISE FUND ORDINANCE. HE STATED THAT THE ADMINISTRATIVE PROCESS FOR APPEAL TO THE PUBLIC SERVICE DIRECTOR IS AN ILLEGAL PROCESS, BUT THIS IS NOT HOW IT WAS CHARACTERIZED IN COURT BY THE CITY ATTORNEY. HE STATED HIS SUPPORT FOR Z-04-97.

CITY ATTORNEY SMIERTKA ADDRESSED WHAT HE TERMED "CARELESS ACCUSATIONS AND CHARACTERIZATIONS OF PEOPLE" BY MR. TEETS. THE ARGUMENT BEFORE THE COURT OF APPEALS, TO WHICH MR. TEETS REFERS, WAS ON WHETHER THE ORDINANCE ALLOWS FOR 100% EXEMPTIONS FROM FEE PROVISIONS. HIS TESTIMONY TO THE COURT WAS CORRECT THAT DAY, AND IS STILL CORRECT TODAY.

ALEXANDER BOLT OF 1230 REO RD. PROTESTED THE SUBSTITUTE RESOLUTION THAT WAS OFFERED BY COUNCILMEMBER JONES FOR ITEM #VIII B-2, RESOLUTION REQUESTING REVIEW BY THE SUPREME COURT OF THE STORMWATER ENTERPRISE FUND LAWSUIT APPEAL. THE SUBSTITUTE RESOLUTION IS EFFECTIVELY MEANINGLESS. IT DOES NOT DO ANYTHING, EXCEPT ASK THE COURT TO SAY WHETHER OR NOT IT WILL HEAR THE CASE. THIS RESOLUTION HAS BEEN GUTTED. THE ONLY IMPROPRIETY THAT HAS BEEN COMMITTED IN THIS INCIDENT IS THE COMMENTS MADE BY THE CITY ATTORNEY TO THE NEWSPAPER ON SATURDAY. ALL HIS RESOLUTION DID WAS TO ASK THE COURT TO HEAR AND DECIDE THE FACTS OF THE CASE IN THIS MATTER. THIS IS WHAT MR. SMIERTKA IS AFRAID OF.

RUSSELL TERRY OF 121 E. MT. HOPE STATED HIS OPPOSITION TO THE RESOLUTION APPROVING THE TRAFFIC CONTROL ORDER ON TONIGHT'S AGENDA. POOR PEOPLE, HE SAID, CANNOT AFFORD TO PAY THESE PARKING RATES.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, URGED COUNCIL TO PASS THE ORIGINAL RESOLUTION

PROPOSED BY COUNCILMEMBER JONES REQUESTING SUPREME COURT REVIEW OF THE CARTO LAWSUIT. SHE STATED THAT OVER THE WEEKEND, SHE RECEIVED ELEVEN UNSOLICITED OPINIONS FROM AREA ATTORNEYS REGARDING THE CITY

#### ► MAYOR'S COMMENTS ON LEGISLATIVE MATTERS

MAYOR HOLLISTER COMMENDED COUNCILMEMBER BAUER AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE FOR TACKLING THE DISTRICT LIBRARY ISSUE. THEY HAVE PRESERVED THE LIBRARY SYSTEM FOR ALL LANSING RESIDENTS. HE THANKED COUNCILMEMBER LILLY FOR KEEPING THE SALE OF THE CITY HALL ANNEX ON TRACK. HE SAID THAT THE CITY MUST BE VERY CAREFUL NOT TO TELL THE SUPREME COURT HOW TO DO THEIR BUSINESS. THEY HAVE PROCESSES AND CIRCUMVENTING THOSE PROCESSES BY TRYING TO TELL THEM THAT THE COURT OF APPEALS WAS WRONG REALLY PUTS THE CITY ATTORNEY IN A BAD LIGHT. TO ASK THE COURT TO TAKE ONE ACTION, OR ANOTHER, AND TO TRY TO TELL THEM HOW TO CONDUCT THEIR BUSINESS WOULD BE A DANGEROUS PRECEDENT TO SET.

### LEGISLATIVE MATTERS RESOLUTIONS RESOLUTION #180

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ORDINANCE #888 ADOPTED JULY 11, 1994, ALLOWS FOR THE DISPOSITION OF BICYCLES WHICH ARE DEEMED SURPLUS BY THE LANSING POLICE DEPARTMENT; AND

WHEREAS, BY SUBSEQUENT RESOLUTION THE CITY COUNCIL DEFINED THE PROCEDURE FOR DISPOSING OF THESE BICYCLES TO NON-PROFIT AGENCIES WITHIN THE CITY; AND

WHEREAS, THE CITY COUNCIL HAS RECEIVED REQUESTS FROM ADDITIONAL NON-PROFIT AGENCIES, AND HAS ALSO RECEIVED LISTS FROM THE QUARTERMASTER UNIT IDENTIFYING SURPLUS BICYCLES,

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE DISTRIBUTION OF BICYCLES DEEMED SURPLUS BY THE QUARTERMASTER UNIT OF THE LANSING POLICE DEPARTMENT IN THE COMMUNICATIONS DATED APRIL 23, 1997, 1997, TO BOY SCOUT TROOP 196; AND

BE IT FURTHER RESOLVED ANY BICYCLES FROM THIS LIST THAT ARE NOT PICKED UP BY THE ELIGIBLE NON-PROFIT AGENCIES BY MAY 5, 1997, MAY BE DISPOSED OF BY THE QUARTERMASTER IN A MANNER CONSISTENT

WITH STATE LAW AND THE CITY OF LANSING PURCHASING ORDINANCE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #181**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ORDINANCE #888 ADOPTED JULY 11, 1994, ALLOWS FOR THE DISPOSITION OF BICYCLES WHICH ARE DEEMED SURPLUS BY THE LANSING POLICE DEPARTMENT; AND

WHEREAS, BY SUBSEQUENT RESOLUTION THE CITY COUNCIL DEFINED THE PROCEDURE FOR DISPOSING OF THESE BICYCLES TO NON-PROFIT AGENCIES WITHIN THE CITY; AND

WHEREAS, THE CITY COUNCIL HAS RECEIVED REQUESTS FROM ADDITIONAL NON-PROFIT AGENCIES, AND HAS ALSO RECEIVED LISTS FROM THE QUARTERMASTER UNIT IDENTIFYING SURPLUS BICYCLES,

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE DISTRIBUTION OF BICYCLES DEEMED SURPLUS BY THE QUARTERMASTER UNIT OF THE LANSING POLICE DEPARTMENT IN THE COMMUNICATIONS DATED APRIL 23, 1997, 1997, TO OLD FOREST NEIGHBORHOOD ASSOCIATION; AND

BE IT FURTHER RESOLVED ANY BICYCLES FROM THIS LIST THAT ARE NOT PICKED UP BY THE ELIGIBLE NON-PROFIT AGENCIES BY MAY 5, 1997, MAY BE DISPOSED OF BY THE QUARTERMASTER IN A MANNER CONSISTENT WITH STATE LAW AND THE CITY OF LANSING PURCHASING ORDINANCE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

BY COUNCILMEMBER JONES

THAT THE FOLLOWING SUBSTITUTE RESOLUTION BE PULLED FROM THE AGENDA AND REFERRED TO THE COMMITTEE OF THE WHOLE

CARRIED UNANIMOUSLY

ITEM #VIII B-2, RESOLUTION BY COUNCILMEMBER JONES REQUESTING THAT THE SUPREME COURT OF MICHIGAN GRANT APPLICATION FOR LEAVE TO APPEAL IN THE MATTER OF FILE # 192944 ON THE STORMWATER ENTERPRISE FUND ORDINANCE, WAS

REPLACED WITH A SUBSTITUTE RESOLUTION UNDER SUSPENSION OF THE RULES AND THE SUBSTITUTE RESOLUTION WAS SUBSEQUENTLY PULLED AND REFERRED TO THE COMMITTEE OF THE WHOLE BY MOTION OF COUNCILMEMBER JONES.

COUNCIL MEMBER HOWARD JONES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY COUNCIL OF LANSING DID ENACT ORDINANCE No. 925 PROVIDING FOR THE ESTABLISHMENT OF A STORMWATER ENTERPRISE FUND AND A METHODOLOGY OF LEVYING CHARGES ON STORMWATER SYSTEM DISCHARGERS TO PAY. FOR THE STORMWATER SYSTEM SHARE OF THE COMBINED SEWER OVERFLOW PROJECT;

WHEREAS, THE LEGALITY AND CONSTITUTIONALITY OF THE AFORESAID CHARGES HAS BEEN CHALLENGED BY A PROPERTY OWNER, TAXPAYER, AND RESIDENT OF LANSING IN A SUIT AGAINST THE CITY OF LANSING IN THE COURT OF APPEALS OF THE STATE OF MICHIGAN WHEREIN IT IS ALLEGED THAT THE CHARGES ARE A DISGUISED TAX AND, HENCE, ARE IN VIOLATION OF ARTICLE IX, SECTION 31, OF THE CONSTITUTION OF THE STATE OF MICHIGAN HAVING NOT BEEN APPROVED BY A MAJORITY OF THE ELECTORS VOTING THEREON (FILE NO. 192944);

WHEREAS, THE COURT OF APPEALS ISSUED A DECISION STATING THAT THE CHARGES WERE PROPERLY CHARACTERIZED AS FEES AS OPPOSED TO A TAX;

WHEREAS, THIS IS A CONSTITUTIONAL QUESTION OF SUCH A MAGNITUDE THAT IT MAY AFFECT ALL OF THE STATE OF MICHIGAN'S PROPERTY OWNERS, TAXPAYERS AND RESIDENTS;

WHEREAS, AN APPLICATION FOR LEAVE TO APPEAL TO THE SUPREME COURT OF MICHIGAN HAS BEEN FILED BY THE PLAINTIFF IN AN EFFORT TO OVERTURN THE APPEALS COURT DECISION AND THE CITY HAS OPPOSED SUCH APPLICATION;

NOW, THEREFORE, BE IT RESOLVED THAT THIS COUNCIL DESIRES THAT THE SUPREME COURT EXPEDITIOUSLY DECIDE PLAINTIFF'S APPLICATION FOR LEAVE TO APPEAL AND THE CITY'S OBJECTION TO THE APPLICATION.

**RESOLUTION #182**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
SALE OF 119 N. WASHINGTON SQUARE  
(CITY HALL ANNEX)

WHEREAS, THE CITY OF LANSING HAS DETERMINED IN RESOLUTION #216 ADOPTED BY THE CITY COUNCIL MAY 2, 1994 THAT THE PROPERTY LOCATED AT 119 N. WASHINGTON SQUARE, THE CITY HALL ANNEX, IS NO LONGER NEEDED FOR PUBLIC PURPOSES, AND HAS OFFERED SAID PROPERTY FOR SALE; AND

WHEREAS, SPIRIT OF DOWNTOWN LANSING, L.L.C. HAS EXECUTED AND DELIVERED A PURCHASE OFFER ENTITLED OFFER TO PURCHASE AND CONTRACT OF SALE TO PURCHASE THE PROPERTY; AND

WHEREAS, THE CONTRACT FOR SALE WAS PLACED BEEN ON FILE WITH THE CITY CLERK 30 DAYS PRIOR TO THE MARCH 24, 1997 PUBLIC HEARING HELD ON THE PROPOSED SALE, ALL IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER AND THE LANSING CODE OF ORDINANCES;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL DOES HEREBY APPROVE THE SALE OF THE REAL PROPERTY LOCATED AT 119 NORTH WASHINGTON SQUARE, LEGALLY DESCRIBED AS:

THE NORTH 46 FEET OF THE SOUTH 90 FEET OF LOTS 1 AND 2, BLOCK 101, ORIGINAL PLAT; ALSO THE NORTH 46.12 FEET OF LOTS 1 AND 2, BLOCK 101, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN; ALSO THAT PART OF VACATED OTTAWA STREET, COMMENCING AT THE NORTHEAST CORNER OF LOT 1; THENCE NORTH .25 FEET; THENCE WEST 132 FEET; THENCE SOUTH .25 FEET; THENCE EAST 132 FEET TO BEGINNING;

TO SPIRIT OF DOWNTOWN LANSING, L.L.C., FOR THE SUM OF \$950,000.00, PLUS ALL CLOSING COSTS, ACCORDING TO THE TERMS AND CONDITIONS CONTAINED IN THE CONTRACT FOR SALE PLACED ON FILE IN THE OFFICE OF THE CITY CLERK ON DECEMBER 18, 1997; SUBJECT TO THE FOLLOWING CONDITIONS PRECEDENT:

- ▶ 1) PURCHASER IS WRITTEN WAIVER OF CONTINGENCIES 2A, B, AND D IN ITS OFFER TO PURCHASE AND CONTRACT OF SALE, AND ITS AGREEMENT TO CHANGE THE CONTINGENCY REMOVAL PERIOD TO BE 45 DAYS FROM THE PASSAGE OF THIS RESOLUTION.
- ▶ 2) THE NEGOTIATION OF A MUTUALLY AGREEABLE LEASE BETWEEN THE PARTIES FOR THE PORTION OF THE ANNEX THAT THE CITY WILL TEMPORARILY CONTINUE TO OCCUPY AFTER CLOSING.

BE IT FURTHER RESOLVED, THAT ALL PROCEEDS

FROM THE SALE OF THE PROPERTY SHALL BE PLACED IN AN APPROPRIATE ACCOUNT AND USED TO OFFSET THE COST ASSOCIATED WITH RELOCATING CITY EMPLOYEES DISPLACED AS A RESULT OF THE SALE OF THE PROPERTY.

BE IT FINALLY RESOLVED, THAT AFTER FULFILLMENT OF THE CONDITIONS PRECEDENT, THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE SALE, INCLUDING THE CONTRACT FOR SALE, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

### RESOLUTION #183

CITY OF LANSING

COUNTIES OF INGHAM AND EATON, MICHIGAN

### RESOLUTION APPROVING FIRST AMENDMENT TO LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATION CONTRACT OF LEASE

WHEREAS, THE CITY OF LANSING BUILDING AUTHORITY (THE "AUTHORITY") HAS BEEN DULY INCORPORATED BY THE CITY OF LANSING (THE "CITY") PURSUANT TO THE PROVISIONS OF ACT 31, PUBLIC ACTS OF MICHIGAN, 1948 (FIRST EXTRA SESSION), AS AMENDED ("ACT 31") FOR THE PURPOSES SET FORTH IN THE AUTHORITY'S ARTICLES OF INCORPORATION; AND

WHEREAS, PURSUANT TO THE PROVISIONS OF A LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATION CONTRACT OF LEASE BETWEEN THE AUTHORITY AND THE CITY DATED AS OF FEBRUARY 13, 1995 (THE "1995 CONTRACT"), THE AUTHORITY IS UNDERTAKING CONSTRUCTION OF A PUBLIC PARKING LOT AND A PUBLIC PLAZA AND IMPROVEMENT OF THE SITE THEREFOR APPURTENANT AND NECESSARY FOR THE USE OF THE NEW PUBLIC BASEBALL STADIUM (THE "PROJECT"), AND THE PROJECT WILL BE OPERATED BY THE AUTHORITY; AND

WHEREAS, THE AUTHORITY WISHES TO AMEND THE LEGAL DESCRIPTION ATTACHED TO THE 1995 CONTRACT TO ADD ADDITIONAL LAND TO THE PROJECT; AND

WHEREAS, IN ADDITION, THE AUTHORITY WISHES TO MAKE ANY NECESSARY CORRECTIONS TO THE LEGAL DESCRIPTION ATTACHED TO THE 1995 CONTRACT BY RELEASING THE PROPERTY ON WHICH THE STADIUM IS BUILT; AND

WHEREAS, A FIRST AMENDMENT TO LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATION CONTRACT OF LEASE (THE "CONTRACT AMENDMENT") PROVIDING FOR THE AMENDMENT OF THE LEGAL DESCRIPTION, AND FOR RELEASE OF THE PROPERTY ON WHICH THE STADIUM IS BUILT, HAS BEEN NEGOTIATED WITH THE AUTHORITY AND PRESENTED TO THE CITY COUNCIL FOR ITS APPROVAL;

NOW, THEREFORE, BE IT RESOLVED THAT:

- ▶ 1. THE CONTRACT AMENDMENT ATTACHED TO THIS RESOLUTION IS HEREBY APPROVED. THE MAYOR AND CITY CLERK ARE AUTHORIZED AND DIRECTED TO EXECUTE THE CONTRACT AMENDMENT FOR AND ON BEHALF OF THE CITY.
- ▶ 2. THE CITY HEREBY ACCEPTS CONVEYANCE FROM THE AUTHORITY OF THE SITE OF THE STADIUM AS SHOWN AS PARCEL "B" ON EXHIBIT 1996-A OF THE CONTRACT AMENDMENT, WITHOUT CONSIDERATION, BY QUIT CLAIM DEED IN SUCH FORM AND MANNER AS MAY BE APPROVED BY THE CITY ATTORNEY. THE CITY HEREBY ACKNOWLEDGES THAT THE DELETION FROM THE CONTRACT OF THE SITE OF THE STADIUM AS SHOWN AS PARCEL "B" WILL NOT ENTITLE THE CITY TO ANY ABATEMENT OR DIMINUTION OF THE CASH RENTALS OR OTHER OBLIGATIONS PAYABLE UNDER THE 1995 CONTRACT. THE MAYOR AND CITY CLERK ARE HEREBY AUTHORIZED TO EXECUTE AND DELIVER TO THE AUTHORITY ANY AGREEMENTS, DOCUMENTS AND CERTIFICATES WHICH ARE NECESSARY OR APPROPRIATE TO ACCOMPLISH THE INTENT OF THIS RESOLUTION, AND TO TAKE ALL OTHER ACTIONS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION.
- ▶ 3. ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME HEREBY ARE RESCINDED.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND COMPLETE COPY OF A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANSING., COUNTIES OF INGHAM AND EATON, MICHIGAN, AT A REGULAR MEETING HELD ON APRIL 28, 1997, AT 7:00 P.M. PREVAILING EASTERN TIME, AND THAT SAID MEETING WAS CONDUCTED AND PUBLIC NOTICE OF SAID MEETING WAS GIVEN PURSUANT TO AND IN FULL COMPLIANCE WITH THE OPEN MEETINGS ACT, BEING ACT 267, PUBLIC ACTS OF MICHIGAN, 1976, AND THAT THE MINUTES OF SAID MEETING WERE KEPT AND WILL BE OR HAVE BEEN MADE AVAILABLE AS REQUIRED BY SAID ACT 267.

IF THE ABOVE MEETING WAS A SPECIAL MEETING, I FURTHER CERTIFY THAT NOTICE OF SAID SPECIAL MEETING WAS GIVEN TO EACH MEMBER OF THE BOARD OF COMMISSIONERS IN ACCORDANCE WITH THE RULES OF PROCEDURE OF THE BOARD OF COMMISSIONERS.

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS WERE PRESENT AT SAID MEETING: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

AND THAT THE FOLLOWING MEMBERS WERE ABSENT: NONE

I FURTHER CERTIFY THAT COUNCILMEMBER LILLY MOVED FOR ADOPTION OF SAID RESOLUTION AND THAT SAID MOTION PASSED BY UNANIMOUS VOTE.

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS VOTED FOR ADOPTION OF SAID RESOLUTION: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK; AND THAT THE FOLLOWING MEMBERS VOTED AGAINST ADOPTION OF SAID RESOLUTION: NONE.

MARILYNN SLADE,  
CITY CLERK

FIRST AMENDMENT TO  
LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATION  
CONTRACT OF LEASE

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MADE AND EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 1997, by and between the CITY OF LANSING BUILDING AUTHORITY (the "AUTHORITY"), a public corporation organized and existing under the authority of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, and the CITY OF LANSING, a Michigan municipal corporation organized and existing under the Constitution and laws of the State of Michigan (the "CITY");

WITNESSETH:

WHEREAS, the AUTHORITY and the CITY have previously entered into a Limited Tax Full Faith and Credit General Obligation Contract of Lease (the "1995 Contract") dated as of February 13, 1995, pursuant to which the AUTHORITY agreed to construct a public parking lot and a public plaza appurtenant and necessary for the use of the new public baseball stadium, and to improve the site therefor (the "Project"), and to acquire other projects and to undertake other matters related thereto; and

WHEREAS, the AUTHORITY and the CITY wish to amend the legal description attached to the 1995 Contract showing the site upon which the Project will be constructed (the "Site" as defined in the 1995 Contract);

IT IS, THEREFORE, AGREED BY AND BETWEEN THE PARTIES HERETO as follows:

1. The 1995 Contract is hereby amended to provide that the Site, as defined in the 1995 Contract, on which the Project is located, shall be the site shown as Parcel "A" on Exhibit 1996-A attached hereto and made part hereof. The AUTHORITY hereby agrees to convey the site of the stadium, as shown as Parcel "B" on Exhibit 1996-A, to the CITY, without consideration, by quit claim deed in such form and manner as may be approved by the City Attorney.

IN WITNESS WHEREOF, the CITY OF LANSING BUILDING AUTHORITY, by its Commission, and the CITY OF LANSING, Michigan, by its City Council, have each caused its name to be signed to this instrument by its duly authorized officers and its seal to be affixed hereto the day and year first above written.

In the presence of: CITY OF LANSING BUILDING AUTHORITY

By \_\_\_\_\_  
Chairperson of its Commission

By \_\_\_\_\_  
Secretary of its Commission

(Seal)

In the presence of: CITY OF LANSING

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
City Clerk

(Seal)

# RESOLUTION #184

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE BOARD OF WATER AND LIGHT (BWL) HAS RECEIVED AN OFFER FROM MICHIGAN BELL TELEPHONE COMPANY, D/B/A AMERITECH, TO PURCHASE AN EASEMENT ON THE SOUTHWEST CORNER OF LOT 23 OF AVONDALE ADDITION, EAST LANSING, MICHIGAN, FOR \$1,000.00; AND

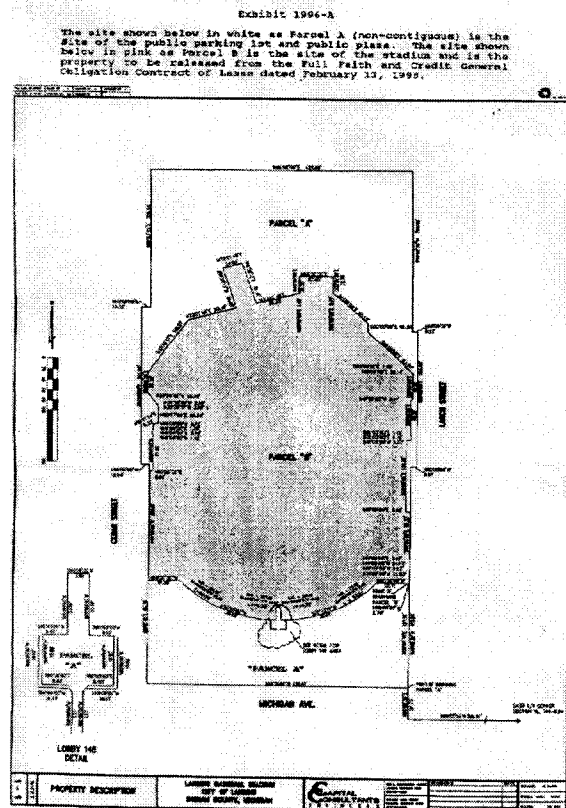
WHEREAS, THE BOARD OF WATER AND LIGHT ON DECEMBER 17, 1996 PASSED A RESOLUTION DECLARING THE PROPOSED EASEMENT PROPERTY INTEREST TO BE PROPERTY NOT NEEDED TO CONTINUE THE OPERATION OF THE BWL; AND

WHEREAS, THE PROPERTY, OF WHICH THE PROPOSED EASEMENT IS A PART, WAS PURCHASED WITH BWL RATE PAYER FUNDS; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING CONCURS THAT THE PROPERTY INTEREST IS SURPLUS AND IN THE BWL REQUEST THAT THE EASEMENT INTEREST BE SOLD TO MICHIGAN BELL TELEPHONE COMPANY;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL CONCURS THAT THE EASEMENT INTEREST IN THE FOLLOWING DESCRIBED PROPERTY IS NO LONGER REQUIRED TO CONTINUE THE OPERATION OF THE BWL AND APPROVES THE SALE OF SAID EASEMENT INTEREST TO MICHIGAN BELL TELEPHONE COMPANY:

A PARCEL OF LAND SITUATED IN THE CITY OF EAST LANSING, COUNTY OF INGHAM, AND STATE OF MICHIGAN, TO WIT: A PART OF A VACATED ALLEY AND A PART OF LOT 23 OF "AVONDALE" PLAT, LIBER 4, PAGE 46 OF INGHAM COUNTY PLATS, PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 81 SOUTH OF THE SOUTHWEST CORNER OF LOT 23 OF SAID PLAT, SAID POINT OF BEGINNING BEING ON THE CENTERLINE OF A VACATED 16' WIDE ALLEY; THENCE NORTH 251 TO A POINT ON THE WEST LINE OF LOT 23 THAT IS L@1 NORTH OF THE SOUTHWEST CORNER OF LOT 23; THENCE EAST PARALLEL WITH THE SOUTH LOT LINE 251; THENCE SOUTH 251 TO THE CENTER OF THE VACATED ALLEY; THENCE ALONG THE VACATED ALLEY CENTERLINE WEST 251 TO THE POINT OF BEGINNING, SUBJECT TO AN EASEMENT GRANTED TO MICHIGAN BELL TELEPHONE COMPANY ON OCTOBER 19,



1987, AND RECORDED IN LIBER 1666, PAGES 558-560, INGHAM COUNTY DEEDS, AND SUBJECT TO ANY OTHER EXISTING EASEMENTS AND RESTRICTIONS.

BE IT FURTHER RESOLVED IN THE SALE OF THE EASEMENT, THE BWL SHALL COMPLY WITH ALL THE LIMITATIONS ON THE SALE OF REAL PROPERTY AS CONTAINED IN THE LANSING CITY CHARTER.

BE IT FURTHER RESOLVED THAT UPON CLOSING OF THE SALE OF SAID EASEMENT, ALL THE NET PROCEEDS FROM THE SALE MAY BE RETAINED BY THE BWL FOR ITS OPERATION.

BE IT FINALLY RESOLVED THE MAYOR, ON BEHALF OF THE CITY OF LANSING, BY ITS BOARD OF WATER AND LIGHT, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE THIS TRANSACTION, SUBJECT TO PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION # 185**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
SALE OF PROPERTY, 1200 BLOCK LESLIE  
STREET

WHEREAS, THE CITY OF LANSING DID ACQUIRE LOTS 128, 129 AND 130, PLAT OF CITY PARK SUBDIVISION, IN THE 1200 BLOCK OF LESLIE STREET AS PART OF ITS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND

WHEREAS, THE PROPERTY HAS REMAINED VACANT FOR A NUMBER OF YEARS WITH NO PLAN FOR DEVELOPMENT AND REUSE; AND

WHEREAS, IN RESOLUTION # 065A-2 PASSED FEBRUARY 19, 1996, THE LANSING CITY COUNCIL DID AUTHORIZE THE ADMINISTRATION TO SELL THIS PROPERTY TO LANSING HABITAT FOR HUMANITY PURSUANT TO THE REQUEST OF THAT NONPROFIT HOUSING CORPORATION TO DEVELOP SINGLE FAMILY HOMES ON THE SITE; AND

WHEREAS, SUBSEQUENT TO THE ACTION OF THE CITY COUNCIL, HABITAT FOR HUMANITY INDICATED THEY WERE NO LONGER INTERESTED IN THE PROPERTY DUE TO THE LOCATION OF PART OF THE SITE IN THE FLOOD PLAIN AND THE ASSOCIATED HIGH COST OF DEVELOPMENT;

AND

WHEREAS, OTHER NONPROFIT HOUSING CORPORATIONS CONTACTED WERE NOT INTERESTED IN THE SITE; AND

WHEREAS, THE OWNER OF THE PROPERTY LOCATED AT 1247 LESLIE STREET DESIRES TO PURCHASE THE PROPERTY FOR USE AS ADDITIONAL SIDE YARD; AND

WHEREAS, THE SITE IS EXCESS PROPERTY WHICH SERVES NO DEFINED PUBLIC PURPOSE, AND WOULD BEST BENEFIT THE CITY BY BEING DISPOSED OF AND RETURNED TO THE TAX ROLL; AND

WHEREAS, TO ENCOURAGE THE IMPROVEMENT OF RESIDENTIAL NEIGHBORHOODS, THE CITY HAS AS A PRACTICE IN THE PAST DISPOSED OF EXCESS RESIDENTIAL PROPERTY ACQUIRED THROUGH THE CDBG PROGRAM BY CONVEYING OWNERSHIP TO ADJACENT PROPERTY OWNERS FOR A NOMINAL FEE, PARTICULARLY IN SITUATIONS WHERE THE LAND IS UNSUITABLE FOR REDEVELOPMENT AS IN THE CASE AT HAND;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL AUTHORIZE THE SALE OF THE PROPERTY DESCRIBED AS:

LOTS 128, 129 AND 130, PLAT OF CITY PARK SUBDIVISION, CITY OF LANSING, INGHAM COUNTY, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 5 OF PLATS, PAGE 12, INGHAM COUNTY RECORDS

TO ROBERT AND GERTRUDE L. HOPKINS FOR \$1.00 PER FRONT LINEAL FOOT, TOTALING ONE HUNDRED EIGHT DOLLARS (\$108.00), PLUS ALL CLOSING COSTS.

BE IT FURTHER RESOLVED THAT THE PROCEEDS FROM THE SALE OF THE PROPERTY SHALL BE RETURNED TO THE CDBG PROGRAM AS PROGRAM INCOME.

BE IT FINALLY RESOLVED THE MAYOR IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE SALE AND TRANSFER OF THE PROPERTY, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION # 186**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING INGHAM COUNTY, MICHIGAN  
RESOLUTION SETTING HEARING DATE  
(QUALITY DAIRY CO. PROJECT)

WHEREAS, THIS CITY COUNCIL HAS HERETOFORE  
APPROVED A PROJECT AREA AND ESTABLISHED A  
PROJECT DISTRICT AREA FOR THE QUALITY DAIRY CO.  
PROJECT (THE "PROJECT") OF THE ECONOMIC  
DEVELOPMENT CORPORATION OF THE CITY OF LANSING  
(THE "ISSUER"); AND

WHEREAS, SECTION 17 OF ACT NO. 338 OF THE  
MICHIGAN PUBLIC ACTS OF 1974, AS AMENDED (THE  
"ACT") AND THE INTERNAL REVENUE CODE OF 1986,  
AS AMENDED (THE "CODE") REQUIRES THAT IN ORDER  
FOR BONDS TO BE ISSUED BY THE ISSUER TO ASSIST IN  
THE FINANCING OF THE PROJECT, THIS CITY COUNCIL  
CONDUCT A PUBLIC HEARING, AFTER NOTICE AND  
APPROVE THE ISSUANCE OF BONDS, ALL AS PROVIDED  
IN SAID ACT AND CODE; AND

WHEREAS, THIS CITY COUNCIL WISHES TO SET A DATE  
FOR A PUBLIC HEARING ON THE PROJECT PLAN FOR  
THE PROJECT PREPARED BY THE ISSUER.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY  
COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

- ▶ 1. THE PUBLIC HEARING UPON THE ISSUANCE OF  
BONDS IN AGGREGATE FACE AMOUNT NOT TO EXCEED  
\$3,500,000 AND THE PROJECT PLAN FOR SAID  
PROJECT SHALL BE HELD AT 7 O'CLOCK P.M., ON  
THE 19TH DAY OF MAY, 1997 IN THE CITY COUNCIL  
CHAMBERS, 10TH FLOOR, LANSING CITY HALL,  
LANSING, MICHIGAN. AT SUCH HEARING, THE CITY  
COUNCIL SHALL PROVIDE AN OPPORTUNITY FOR  
INTERESTED PERSONS TO BE HEARD AND SHALL  
RECEIVE AND CONSIDER COMMUNICATIONS IN WRITING  
WITH REFERENCE TO THE HEARING. THE HEARING  
SHALL PROVIDE THE FULLEST OPPORTUNITY FOR THE  
EXPRESSION OF OPINION, FOR ARGUMENT ON THE  
MERITS, AND FOR INTRODUCTION OF DOCUMENTARY  
EVIDENCE PERTINENT TO THE PROPOSED BOND ISSUE  
AND THE PROJECT PLAN. THE GOVERNING BODY  
SHALL MAKE AND PRESERVE A RECORD OF THE  
PUBLIC HEARING, INCLUDING ALL DATA PRESENTED  
THEREAT.
- ▶ 2. THE CITY CLERK IS HEREBY REQUESTED TO  
PUBLISH, POST, AND MAIL NOTICE OF SUCH HEARING,  
SUCH NOTICE TO BE SUBSTANTIALLY IN THE FORM  
ATTACHED HERETO, IN ACCORDANCE WITH SECTION  
17 OF THE ACT AND THE CODE.
- ▶ 3. THE CITY CLERK IS HEREBY REQUESTED TO  
FORWARD THREE (3) CERTIFIED COPIES OF THIS  
RESOLUTION TO THE SECRETARY OF THE ISSUER.

- ▶ 4. ALL RESOLUTIONS OR PARTS THEREOF IN  
CONFLICT WITH THIS RESOLUTION ARE HEREBY  
REPEALED, BUT ONLY TO THE EXTENT OF SUCH  
CONFLICT.

NOTICE OF PUBLIC HEARING  
BEFORE THE CITY COUNCIL  
OF THE CITY OF LANSING  
RELATING TO A PROJECT PLAN  
FOR THE ECONOMIC DEVELOPMENT  
CORPORATION  
OF THE CITY OF LANSING  
(QUALITY DAIRY CO. PROJECT)  
AND THE ISSUANCE OF  
LIMITED OBLIGATION REVENUE BONDS

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL  
OF THE CITY OF LANSING WILL HOLD A PUBLIC  
HEARING AT 7 O'CLOCK, P.M., IN THE CITY  
COUNCIL CHAMBERS, 10TH FLOOR, CITY HALL,  
LANSING, MICHIGAN, ON THE 19TH DAY OF MAY, 1  
997, ON A PROJECT PLAN PREPARED BY THE  
ECONOMIC DEVELOPMENT CORPORATION OF THE  
CITY OF LANSING FOR ITS QUALITY DAIRY CO.  
PROJECT (THE "PROJECT"). THE PROJECT WILL  
INITIALLY BE OWNED BY QUALITY DAIRY CO., A  
MICHIGAN CORPORATION (THE "COMPANY"), OR A  
CORPORATION, PARTNERSHIP, JOINT VENTURE OR  
OTHER ENTITY IN WHICH STAN AND/OR ALAN  
MARNN WILL BE AN OWNER, PARTNER, DIRECTOR  
OR HAVE SOME OTHER FORM OF OWNERSHIP  
INTEREST IN SUCH ENTITY. THE PROJECT  
CONSISTS OF THE ACQUISITION, CONSTRUCTION  
AND EQUIPPING OF AN APPROXIMATELY 30,000  
SQUARE FOOT MANUFACTURING FACILITY, TO BE  
USED BY THE COMPANY TO PROCESS AND  
PACKAGE FOOD GOODS, AND WILL BE LOCATED IN  
THE CITY OF LANSING, COUNTY OF INGHAM, STATE  
OF MICHIGAN (THE "PROJECT") THE PROJECT WILL  
BE LOCATED IN AN AREA FRONTED BY DIAMOND  
REO WAY, WHICH LIES NORTH OF BAKER STREET,  
EAST OF WASHINGTON AVENUE AND WEST OF  
CEDAR STREET AND DESCRIBED AS: LOT 6, OF  
THE R.E. OLDS PLAT, CITY OF LANSING, INGHAM  
COUNTY, MICHIGAN, AS RECORDED IN LIBER 48  
OF PLATS, PAGE 35, 36 AND 37, CONTAINING  
5.289 ACRES.

MAPS, PLATS, AND A DESCRIPTION OF THE  
PROPOSED PROJECT PLAN, INCLUDING THE  
METHOD OF RELOCATING FAMILIES AND  
INDIVIDUALS WHO WILL BE DISPLACED FROM THE  
AREA, IF ANY, ARE AVAILABLE FOR PUBLIC  
INSPECTION AT THE OFFICE OF THE ECONOMIC  
DEVELOPMENT CORPORATION OF THE CITY OF  
LANSING, DEPARTMENT OF PLANNING &  
DEVELOPMENT, 316 N. CAPITOL AVENUE,  
LANSING, MICHIGAN, AND ALL ASPECTS OF THE  
PROPOSED PROJECT PLAN WILL BE OPEN FOR

DISCUSSION AT THE PUBLIC HEARING, INCLUDING THE PROPOSED ISSUANCE OF LIMITED OBLIGATION REVENUE BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,500,000 BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING TO ASSIST IN THE FINANCING OF THE PROJECT. THE PROJECT PLAN CONTAINS FURTHER INFORMATION ABOUT THE ISSUANCE OF SUCH BONDS AND THE FINANCIAL PARAMETERS OF THE PROPOSED BOND ISSUE.

THE CITY COUNCIL WILL CONSIDER THE APPROVAL OF THE PROJECT PLAN AND THE PROPOSED BOND ISSUE ONLY AFTER THE PUBLIC HEARING HAS BEEN COMPLETED.

THE CITY COUNCIL SHALL PROVIDE AN OPPORTUNITY FOR INTERESTED PERSONS TO BE HEARD AND SHALL RECEIVE AND CONSIDER COMMUNICATIONS IN WRITING WITH REFERENCE TO THE HEARING. THE HEARING SHALL PROVIDE THE FULLEST OPPORTUNITY FOR EXPRESSION OF OPINION, FOR ARGUMENT ON THE MERITS, AND FOR INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE PROPOSED PROJECT PLAN AND THE PROPOSED BOND ISSUE.

MARILYNN SLADE, CITY CLERK  
LANSING, MICHIGAN

PUBLISHED, POSTED AND MAILED TO PROPERTY OWNERS OF RECORD WITHIN THE PROJECT DISTRICT AREA

**RESOLUTION #187**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, TONI EDWARDS ON BEHALF OF JOHN MCKISSIC FILED A CLAIM AGAINST THE CITY IN AN APPROXIMATE AMOUNT OF \$268.00 FOR REIMBURSEMENT OF THE SPECIAL ASSESSMENT FOR TRASH REMOVED REGARDING PROPERTY, AT 216 S. ML KING JR., BLVD., LANSING, MICHIGAN;

WHEREAS, THE CITY ATTORNEY'S STAFF RECOMMENDATION WAS TO DENY THE CLAIM;

WHEREAS, THE CLAIMS REVIEW COMMITTEE VOTED TO DENY THE CLAIM;

WHEREAS, THE CLAIM WAS APPEALED TO THE GENERAL SERVICES COMMITTEE. THE STAFF RECOMMENDATION WAS REVIEWED BY THE COMMITTEE ON GENERAL SERVICES;

WHEREAS, THE GENERAL SERVICE COMMITTEE RECOMMENDS THAT THE CLAIMANT BE REIMBURSED IN THE AMOUNT OF ONE HUNDRED NINETY (\$190.00) DOLLARS FOR THE ADMINISTRATIVE SERVICE CHARGE;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO GRANT THE CLAIM OF TONI EDWARDS FOR JOHN MCKISSIC IN THE AMOUNT OF ONE HUNDRED NINETY (\$190.00) DOLLARS;

BE IT FURTHER RESOLVED THAT THE CITY CLERK IS REQUESTED TO NOTIFY THE CITY ATTORNEY'S OFFICE. UPON NOTIFICATION FROM THE CLERK, THE CITY ATTORNEY'S OFFICE WILL PREPARE A RELEASE FOR THE TONI EDWARDS EXECUTION AND UPON RECEIPT OF SAID EXECUTED RELEASE WILL REMOVE ONE HUNDRED NINETY (\$190.00) DOLLARS FROM THE TAX ROLL; AND

BE IT FINALLY RESOLVED THAT THE CITY COUNCIL RECOMMENDS THAT THE PROPERTY AT 216 S. ML KING JR., BLVD. BE SURVEYED TO ESTABLISH THE PROPERTY LINES, IN ORDER TO AVOID FURTHER PROBLEMS WITH CODE COMPLIANCE DIVISION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

**RESOLUTION #188**

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$20,000 IN THE FY97 GENERAL FUND BUDGET TO THE COMMUNITY PROMOTIONS ACCOUNT, FOR THE PURPOSE OF ASSISTING WITH THE EXPENSES OF LARGE COMMUNITY-ORIENTED EVENTS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH EXPENSES IN THE AMOUNT OF \$3,000, COVERING EXPENSES OF BRING THE EVENT TO THE COMMUNITY, FROM THE 911 FOOTBALL CLASSIC COMMITTEE FOR THE SECOND ANNUAL 911 FOOTBALL CLASSIC ON MAY 10, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;



NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY AUTHORIZES CHARGES IN THE AMOUNT OF \$3,000 TO ACCOUNT #101-173901-741289-0; AND

AND BE IT FURTHER RESOLVED THIS PAYMENT SHALL BE MADE BY MEANS OF AN INTERDEPARTMENTAL VOUCHER TO BE GENERATED BY THE LANSING FIRE DEPARTMENT.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #189**  
BY COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR A CITY PERMIT, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

NOW, THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR A CITY PERMIT FOR:

FIREWORKS DISPLAY PERMIT: NIGHT MAGIC FOR LANSING LUGNUTS 505 EAST MICHIGAN AVENUE DISPLAY ON CEDAR ST. SIDE OF OLDSMOBILE PARK, NIGHT OF:

MAY 17, 1997  
JUNE 17, 1997  
JULY 2, 1997  
AUGUST 9, 1997  
AUGUST 30, 1997

OR SUCH SUBSTITUTE DAYS AS MAY BE REQUIRED BY INCLEMENT WEATHER.

BY COUNCILMEMBER BENAVIDES

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER NOVAK TO AMEND THE RESOLUTION IN THE NOW THEREFORE BE IT RESOLVED, CLAUSE FOLLOWING THE FINAL DATE OF AUGUST 30, 1997, TO ADD THE FOLLOWING: "OR SUCH SUBSTITUTE DAYS AS MAY BE REQUIRED BECAUSE OF INCLEMENT WEATHER", AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED.

CARRIED UNANIMOUSLY

**RESOLUTION #190**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN

APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

SECOND HAND DEALER: NATIONAL CASH EXCHANGE, INC. 2409 EAST MICHIGAN

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #191**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ROBIN G. RYAN HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 3015 SOUTH MARTIN LUTHER KING JR., BLVD. FROM MICHAEL E. ZIMMERMAN, INC. (POINT AFTER); AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT SAID APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICE HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST OF ROBIN G. RYAN TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 3015 SOUTH MARTIN LUTHER KING JR., BLVD. FROM MICHAEL E. ZIMMERMANN, INC. IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #192**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, CENTENO'S PICK UP TACO, INC. HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 4519 SOUTH MARTIN LUTHER KING JR., BLVD. FROM ALVARADO'S MEXICAN RESTAURANT, INC.; AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT SAID APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICE HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST OF CENTENO'S PICK UP TACO, INC. TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 4519 SOUTH MARTIN LUTHER KING JR., BLVD. FROM ALVARADO'S MEXICAN RESTAURANT, INC. IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #193**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

PEDDLER; BOBBY D. TREJO 3301 EAST MICHIGAN AVENUE

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #194**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER LICENSE; LANSING LAWN & SNOW, INC.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #195**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER LICENSE; TRUGREEN-CHEMLAWN 5935 ENTERPRISE DRIVE

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES, LILLY

**RESOLUTION #196**

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER LICENSE; WASTE MANAGEMENT OF MI-MIDWEST 16320 GROVE ROAD

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #197**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE CITY OF LANSING/LANSING SCHOOL DISTRICT MULTI-CULTURAL CONFERENCE FOR THE USE OF THE LANSING CENTER ON MAY 29 AND MAY 30, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$3,600.00 TO ACCOUNT #101-173901-741200-0, FOR LANSING CENTER RENTAL COSTS.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #198**

BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, KEVIN O'MALLEY, 614 KIPLING BOULEVARD, TO THE CAPITAL AREA DISTRICT LIBRARY BOARD, FOR A TERM TO EXPIRE APRIL 15, 1999, AND

WHEREAS, THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF KEVIN O'MALLEY TO THE CAPITAL AREA DISTRICT LIBRARY BOARD, FOR A TERM TO EXPIRE APRIL 15, 1999.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER BAUER AND REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, JOAN TREZISE, 3635 COLCHESTER ROAD, TO THE CAPITAL AREA DISTRICT LIBRARY BOARD, FOR A TERM TO EXPIRE APRIL 15, 1998, AND

WHEREAS, THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF JOAN TREZISE TO THE CAPITAL AREA DISTRICT LIBRARY BOARD, FOR A TERM TO EXPIRE APRIL 15, 1998.

**RESOLUTION #199**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 1403 EMERSON, LEGALLY DESCRIBED AS:

PARCEL NUMBER 3301 09 154 081  
3 LOT 24 BLOCK 5 GLENDALE PLACE

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON DECEMBER 12, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 21, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS

RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS' ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #200

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 4522 STILLWELL, LEGALLY DESCRIBED AS:

PARCEL NUMBER 3301 31 306 1713 Lot 88  
CHURCHILL DOWNS SUB

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON DECEMBER 12, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND

THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 21, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS' ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #201

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 1621 LYONS, LEGALLY DESCRIBED AS:

PARCEL NUMBER 3301 22 352 141 3  
LOT 18 BLOCK 4 ASSESSOR S PLAT No 28  
REC L I O P 33

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON DECEMBER 12, 1996 AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 14, 1997 TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS' ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #202**  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 616 S FAIRVIEW, LEGALLY DESCRIBED AS:

PARCEL NUMBER 3301 14 362 251 6  
LOT 73 ULLRICH S SUB REC L 4 P 28

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE;

AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 14, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY

LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #203

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 632 S. FRANCIS, LEGALLY DESCRIBED AS:

PARCEL NUMBER 3301 14 381 071 4  
LOT 68 BROWN S SUB OF A PART OF  
OUTLOTS A AND B OF SYNDERS ADD

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 7, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR

OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS' ORDER FOR DEMOLITION OR OTHER-WISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #204

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 522 W OAKLAND, LEGALLY DESCRIBED AS:

PARCEL NUMBER 3301 09 353 101 5 E  
25 FT OF W 90 FT LOT 7 BLOCK D SUB OF  
BLOCKS 26 & 27 ORIG PLAT

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT

OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 7, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

RESOLUTION #205  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 733 WISCONSIN, LEGALLY DESCRIBED AS:

PARCEL NUMBER 3301 08 483 1610  
LOT 147 ENGLEWOOD PARK ADD

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 7, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR

THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #206**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 528 AVON, LEGALLY DESCRIBED AS:

3301 21 477 1755 E 35 FT LOT 56  
TORRANCE FAM ADD

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON DECEMBER 12, 1996 AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 14, 1997 TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY

ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #207**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 317 S. PENNSYLVANIA, LEGALLY DESCRIBED AS:

PARCEL NUMBER 3301 15 332 0410 S  
42 FT OF N 46 FT LOT 6 & N 4 FT OF E 2  
R LOT 6 BLOCK 14 GREEN OAK ADD

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON DECEMBER 12, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 14, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE



OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #208**  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 6051 SOUTHBROOK, LEGALLY DESCRIBED AS:

PARCEL NUMBER 330505 431 271 0  
LOT 21 SOUTHBROOK SUB

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON DECEMBER 12, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON APRIL 21, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION APRIL 28, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND,

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER ALLEN AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS; THE TRANSPORTATION DIVISION INVESTIGATED THE FEASIBILITY OF CREATING NEW ON

STREET METERED PARKING IN THE VICINITY OF THE LANSING SCHOOL DISTRICT ADMINISTRATION BUILDING. THE TRANSPORTATION DIVISION STAFF EVALUATED ON-STREET METERED AND UNMETERED PARKING IN THIS AREA BECAUSE OF THE HIGH DEMAND FOR PARKING IN THE SOUTHWESTERN SECTION OF CENTRAL BUSINESS DISTRICT;

WHEREAS; THE INSTALLATION OF PARKING METERS IS RECOMMENDED ON KALAMAZOO STREET, PINE STREET, AND LENAWEE STREET DUE TO THE HIGH DEMAND FOR PARKING AND TO PROMOTE PARKING TURN OVER. THE PROPOSED LOCATIONS OF PARKING METER INSTALLATIONS ARE-. THE NORTH SIDE OF KALAMAZOO STREET, BETWEEN PINE STREET AND BUTLER BOULEVARD; THE SOUTH SIDE OF KALAMAZOO STREET, BETWEEN BUTLER STREET AND SYCAMORE STREET; THE EAST SIDE OF PINE STREET, BETWEEN PINE STREET AND HILLSDALE STREET; THE NORTH SIDE OF LENAWEE STREET, BETWEEN CHESTNUT STREET AND PINE STREET; THE SOUTH SIDE OF LENAWEE STREET, FROM PINE STREET TO WALNUT STREET; AND THE EAST SIDE OF CHESTNUT STREET, BETWEEN HILLSDALE STREET AND KALAMAZOO STREET. THE PROPOSED PARKING METER RATE IS 25 CENTS PER HOUR, WITH A FIVE HOUR TIME LIMIT ENFORCED BETWEEN THE HOURS OF 8:00 AM AND 6:00 PM;

WHEREAS, THE TRANSPORTATION DIVISION STAFF MET DR. RICHARD HALIK, SUPERINTENDENT FOR THE LANSING SCHOOL DISTRICT, TO DISCUSS THE IMPACT OF THE PROPOSAL, AND TO INCORPORATE THE FUNCTIONAL PARKING NEEDS OF THE LANSING SCHOOL DISTRICT ADMINISTRATION BUILDING;

WHEREAS, DR. HALIK EXPRESSED THE NEED TO HAVE A DROP OFF/PICK UP AREA TO BE USED BY PARENTS DROPPING OFF AND PICKING UP CHILDREN FROM THE PRESCHOOL FACILITIES, LOCATED IN THE 500 BLOCK OF WEST LENAWEE STREET;

WHEREAS, THE PROPOSED PLAN WAS MODIFIED TO ADDRESS THE LANSING SCHOOL DISTRICT'S CONCERNS AND A DROP OFF/PICKUP ZONE WAS ADDED TO THE NORTH SIDE OF THE 500 BLOCK LENAWEE STREET;

WHEREAS, THIS PROPOSAL WAS PRESENTED TO THE TRAFFIC BOARD;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO APPROVE THE PROPOSAL TO INSTALL NEW ON-STREET METERED PARKING AND ENFORCE THE PARKING REGULATIONS OUTLINED IN RFS #96-32;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NUMBERS 97-007, 97-008, 97-009, AND 97-010, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO INSTALL THE PROPOSED PARKING METERS, AND ENFORCE THE PROPOSED PARKING REGULATIONS OUTLINED IN RFS #96-32;

BE IT FURTHER RESOLVED, THAT THE EXISTING PARKING REGULATIONS ARE DOCUMENTED ON TRAFFIC CONTROL ORDER NUMBERS 97-007, 97-008, 97-009, AND 97-010 SUPPORTING THE HISTORICAL PARKING REGULATIONS;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NUMBERS 97-007, 97-008, 97-009, AND 97-010 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, FILED WITH THE CITY CLERK, THE PARKING METERS ARE INSTALLED, AND THE APPROPRIATE SIGNS ARE ERECTED.

PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER JONES AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE ADMINISTRATION PRESENTED COUNCIL WITH A PROPOSED CONSOLIDATED BUILDING USE POLICY (INCLUDING BUILDING USE FEE SCHEDULE) FOR SPECIFIC PARKS AND RECREATION DEPARTMENT LEISURE AND SPECIAL RECREATION DIVISION BUILDINGS: AND

WHEREAS, THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR HAVE REVIEWED THE DRAFT POLICY AND IN COOPERATION WITH THE PARKS AND RECREATION DEPARTMENT, RECOMMEND THE ADOPTION OF THE ATTACHED POLICY AS REVISED;

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL ADOPTS THE ATTACHED POLICY WITH ASSOCIATED FEES FOR RESERVATION AND USE OF SPACE AT FOSTER, GIER, KINGSLEY AND SOUTH SIDE COMMUNITY CENTERS, MILLER ROAD SENIOR CENTER, FENNER NATURE CENTER, THE SCOTT HOUSE AND THE TURNER-DODGE HOUSE.

BE IT FURTHER RESOLVED THE BUILDING USE FEES SHALL BE PLACED IN A RESERVE ACCOUNT FOR THE SOLE PURPOSE OF REPLACING FURNISHINGS AND EQUIPMENT IN THE BUILDINGS COVERED BY THIS

POLICY.

BE IT FINALLY RESOLVED ALL PREVIOUS USE AND FEE POLICIES ASSOCIATED WITH THESE FACILITIES ESTABLISHED BY RESOLUTION OR RULES WHICH ARE INCONSISTENT WITH THIS RESOLUTION ARE HEREBY RESCINDED.

### RESOLUTION #209

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$81,469	EST. REVENUES-STATE & FEDERAL PROGRAMS 273-0-170001-0	
\$44,209		AUTO THEFT-SALARIES 273-343240-702000- 17712
\$ 3,090		OVERTIME 273-343240- 708000-17712
\$27,320		FRINGE BENEFITS 273- 343240-715000-17712
\$ 750		MISC. & OPER. EXPENSES 273-343240- 741000-17712
\$ 6,100		VEHICLE RENTAL-ATPA 273-343240-745000- 17712

(AMENDS GRANT ACCEPTANCE RESOLUTION (#44) TO CORRECT AMOUNT FOR LOCAL MATCH REQUIREMENTS BASED ON ACTUAL GRANT AWARD. LOCAL SHARE (MEMO DETAIL ACCOUNT 273-0-696101-17712) INCREASES FROM \$24,414 TO \$26,270 BASED ON ALLOWED FRINGE BENEFIT COSTS. STATE OF MICHIGAN (REVENUE DETAIL ACCOUNT 273-0-543002-17712) DECREASES FROM \$57,055 TO \$55,199. GRANT COVERS DETECTIVE IIB WORKING AUTO THEFT CASES.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$ 17,030	STADIUM FUND-EQUIPMENT 234-173903-977000-0	
\$230,670	STADIUM FUND-MISC. & OPER. EXPENSES 234- 173903-741000-0	
\$247,700		LEPFA OPERATING TRANSFER 234-966000- 991570-0

(FUNDS ORIGINALLY BUDGETED IN EXPENDITURE ACCOUNTS. NEED TO BE IN OPERATING TRANSFER ACCOUNT TO REFLECT ACTUAL STADIUM ADMINISTRATION.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,029	EST. REV.- INFRASTRUCTURE 410-0- 170001-0	BALLFIELD IMPR. 410- 933890-970000-13023

(RECEIPTS FROM (7/1/96 TO 12/31/96) PLAYER FEES RESTRICTED TO BALLFIELD IMPROVEMENTS PER COUNCIL RESOLUTION OF NOV. 3, 1986. FUNDS TO BE USED FOR GIER PARK LIGHTING PER COUNCIL RESOLUTION OF 11/25/96. REVENUE DETAIL ACCOUNT 410-0-648253-13023)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

### RESOLUTION #210

BY COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) REQUIRES THAT THE CITY OF LANSING SUBMIT A "CONSOLIDATED STRATEGY AND PLAN SUBMISSION" (CSPS) IN ORDER TO RECEIVE COMMUNITY DEVELOPMENT FUND RESOURCES, INCLUDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME AND EMERGENCY SHELTER GRANT (ESG) PROGRAM FUNDS, FOR THE UPCOMING FISCAL YEAR 1997-98; AND

WHEREAS, THE ESTIMATED CDBG, HOME PROGRAM AND ESG ENTITLEMENT AMOUNT ALLOCATED TO LANSING FOR THE UPCOMING FISCAL YEAR IS A TOTAL OF \$3,562,000, WITH AN ADDITIONAL AMOUNT OF \$760,000 IN PROGRAM INCOME DERIVED FROM THE CDBG PROGRAM AVAILABLE; AND

WHEREAS, PURSUANT TO PROGRAM REQUIREMENTS, THE CITY HAS CONDUCTED A CITIZEN PARTICIPATION AND OPEN REVIEW PROCESS WHICH HAS INCLUDED PLANNING AND MEETINGS WITH NEIGHBORHOOD GROUPS, HOUSING AND SUPPORTIVE SERVICE PROVIDERS, THE STATE AND NEIGHBORING LOCAL GOVERNMENTS; AND

WHEREAS, THE CITY HAS FURTHER PROMOTED PARTICIPATION, INPUT AND REVIEW IN THE PROCESS BY CONDUCTING TWO (2) SEPARATE ADVERTISED PUBLIC HEARINGS BEFORE THE LANSING PLANNING BOARD, ONE ON HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND ONE ON PROPOSED CSPS PROGRAM OBJECTIVES AND PROJECTED USE OF FEDERAL ENTITLEMENT AND

FORMULA PROGRAM FUNDS; AND

WHEREAS, THE CITY DID ALSO INITIATE AND CARRY OUT A STATUTORILY REQUIRED THIRTY (30) DAY COMMENT PERIOD ON THE PROPOSED CSPA BY PUBLISHING A SUMMARY OF THE PLAN IN THE LANSING STATE JOURNAL ON MARCH 14, 1997; AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE LANSING CITY COUNCIL ON APRIL 21, 1997, TO AGAIN RECEIVE CITIZEN COMMENTS AND RECOMMENDATIONS AND TO GIVE FINAL REVIEW TO THE CSPA; AND

WHEREAS, FEDERAL REGULATIONS REQUIRE THE CITY TO MAKE CERTAIN CERTIFICATIONS AND ASSURANCES TO HUD AS A PART OF THE CITY'S CSPA APPLICATION; AND,

WHEREAS, THE COMMITTEE OF THE WHOLE HAS REVIEWED THE ANNUAL CSPA PROPOSAL AND RECOMMENDS THAT THE PLAN AND APPROVED;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF LANSING ADOPTS THE ANNUAL CONSOLIDATED STRATEGY AND PLAN SUBMISSION FOR THE CITY OF LANSING THAT INCLUDES HOUSING AND COMMUNITY DEVELOPMENT GOALS, OBJECTIVES AND STRATEGIES, AND THE BUDGET FOR THE USE OF COMMUNITY DEVELOPMENT FUND RESOURCES FOR FISCAL YEAR 1997-98; AND

BE IT FURTHER RESOLVED THAT THE MAYOR, AS THE CITY'S CHIEF EXECUTIVE OFFICER, IS HEREBY AUTHORIZED TO SIGN THE ANNUAL CSPA APPLICATION FOR FY 97-98, INCLUDING ALL UNDERSTANDINGS, ASSURANCES AND CERTIFICATIONS CONTAINED THEREIN, AND TO SUBMIT THE GRANT APPLICATION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

BE IT FINALLY RESOLVED THAT THE MAYOR IS AUTHORIZED, AS THE OFFICIAL REPRESENTATIVE OF THE CITY OF LANSING, TO PROVIDE ANY AND ALL INFORMATION, TO ACT IN CONNECTION WITH THE ANNUAL CSPA APPLICATION AND TO EXECUTE ALL AGREEMENTS, CONTRACTS AND LEGAL DOCUMENTS, INCLUDING THE AGREEMENT BETWEEN THE CITY AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, TO SECURE AND IMPLEMENT THE CSPA PROGRAM.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### **ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER ALLEN

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER ALLEN:

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON PUBLIC SAFETY:

BY COUNCILMEMBER ALLEN:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW CHAPTER, CHAPTER 234 FOR THE PURPOSE OF CREATING AN EMERGENCY MANAGEMENT ORDINANCE, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON PUBLIC SAFETY:

BY COUNCILMEMBER ALLEN:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW CHAPTER, CHAPTER 234 FOR THE PURPOSE OF CREATING AN EMERGENCY MANAGEMENT ORDINANCE, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

BY COUNCILMEMBER LILLY

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE HEALTH, OR SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

#### **ORDINANCE NO. 968**

##### **CHAPTER 234**

##### **EMERGENCY MANAGEMENT**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO CREATE A NEW CHAPTER 234 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF CREATING AN EMERGENCY MANAGEMENT ORDINANCE.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT A NEW CHAPTER 234 BE ADDED TO THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, TO READ AS FOLLOWS:

CHAPTER 234: THIS ORDINANCE SHALL BE KNOWN AND MAY BE CITED AS THE "LANSING EMERGENCY MANAGEMENT ORDINANCE."

234.01 PURPOSE.

THE PURPOSE OF THIS CHAPTER IS TO PROVIDE FOR THE MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY FROM NATURAL AND HUMAN-MADE DISASTERS WITHIN THE CITY OF LANSING, MICHIGAN; TO ESTABLISH AN OFFICE FOR THIS PURPOSE; TO PROVIDE FOR THE COORDINATION AND UTILIZATION OF ALL RESOURCES IN THE MUNICIPALITY IN AN EMERGENCY OR DISASTER SITUATION; AND TO PROVIDE A MEANS THROUGH WHICH THE MAYOR AND THE CITY COUNCIL MAY EXERCISE THE AUTHORITY AND DISCHARGE THE RESPONSIBILITIES VESTED IN THEM BY THIS CHAPTER AND MICHIGAN COMPILED LAWS, SECTIONS 30.401 ET SEQ. OR ACT NO. 390 OF THE PUBLIC ACTS OF 1976, AS AMENDED.

234.02 DEFINITIONS.

AS USED IN THIS CHAPTER:

(A) "ACT" MEANS THE MICHIGAN EMERGENCY MANAGEMENT ACT, ACT NO. 390 OF THE PUBLIC ACTS OF 1976, AS AMENDED.

(B) "DISASTER" MEANS AN OCCURRENCE OR THREAT OF WIDESPREAD OR SEVERE DAMAGE, INJURY OR LOSS OF LIFE OR PROPERTY RESULTING FROM ANY NATURAL OR HUMAN-MADE CAUSE, INCLUDING BUT NOT LIMITED TO, FIRE, FLOOD, SNOWSTORM, ICE STORM, TORNADO, WINDSTORM, OIL SPILL, WATER CONTAMINATION, UTILITY FAILURE, HAZARDOUS PEACETIME RADIOLOGICAL INCIDENT, MAJOR TRANSPORTATION ACCIDENT, HAZARDOUS MATERIALS INCIDENT, EPIDEMIC, AIR CONTAMINATION, BLIGHT, DROUGHT, INFESTATION, EXPLOSION, OR HOSTILE MILITARY OR PARAMILITARY ACTION, OR SIMILAR OCCURRENCES RESULTING FROM TERRORIST ACTIVITIES, RIOTS, OR CIVIL DISORDERS.

(C) "DISTRICT COORDINATOR" MEANS THE MICHIGAN DEPARTMENT OF STATE POLICE DISTRICT EMERGENCY MANAGEMENT COORDINATOR. THE DISTRICT COORDINATOR SERVES AS LIAISON BETWEEN LOCAL EMERGENCY MANAGEMENT

PROGRAMS AND THE MICHIGAN STATE POLICE, EMERGENCY MANAGEMENT DIVISION IN ALL MATTERS PERTAINING TO THE MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY OF EMERGENCY AND DISASTER SITUATIONS.

(D) "DISASTER RELIEF FORCE" MEANS ALL AGENCIES OF LANSING GOVERNMENT, PRIVATE AND VOLUNTEER PERSONNEL AND EQUIPMENT, PUBLIC OFFICERS AND EMPLOYEES, AND ALL OTHER PERSONS OR GROUPS OF PERSONS OR EQUIPMENT IDENTIFIED IN THE LANSING EMERGENCY OPERATIONS PLAN AS HAVING DUTIES TO PERFORM OR THOSE CALLED INTO DUTY OR WORKING AT THE DIRECTION OF A PARTY IDENTIFIED IN THE PLAN TO PERFORM A SPECIFIC DISASTER OR EMERGENCY RELATED TASK DURING A LOCAL STATE OF EMERGENCY OR DISASTER.

(E) "EMERGENCY" MEANS ANY SITUATION CONFRONTING THE CITY REQUIRING EMERGENCY ACTIONS OF A LESSER NATURE THAN A DISASTER TO INCLUDE, BUT NOT LIMITED TO, CIVIL DISTURBANCES, LABOR STRIKES, VISITS BY NATIONAL OR INTERNATIONAL DIGNITARIES, EVACUATIONS AND BUILD-UP ACTIVITIES PRIOR TO AN ACTUAL DISASTER.

(F) "EMERGENCY MANAGEMENT DIRECTOR" MEANS THE FIRE CHIEF WHO IS APPOINTED TO COORDINATE ALL MATTERS PERTAINING TO EMERGENCY MANAGEMENT WITHIN THE CITY.

(G) "EMERGENCY MANAGEMENT PROGRAM" MEANS A PROGRAM ESTABLISHED TO COORDINATE MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY ACTIVITIES FOR ALL EMERGENCY OR DISASTER SITUATIONS WITHIN A GIVEN GEOGRAPHIC AREA MADE UP OF ONE OR SEVERAL POLITICAL SUBDIVISIONS. SUCH A PROGRAM HAS AN APPOINTED EMERGENCY MANAGEMENT COORDINATOR/DIRECTOR AND MEETS THE PROGRAM STANDARDS AND REQUIREMENTS AS ESTABLISHED BY THE DEPARTMENT OF STATE POLICE, EMERGENCY MANAGEMENT DIVISION. THE CITY OF LANSING HAS ESTABLISHED AN EMERGENCY MANAGEMENT PROGRAM.

(H) "EMERGENCY MANAGEMENT PROGRAM MANAGER" MEANS THE PERSON ASSIGNED BY THE EMERGENCY MANAGEMENT DIRECTOR TO ASSIST IN ALL MATTERS PERTAINING TO EMERGENCY MANAGEMENT WITHIN THE CITY.

(I) "EMERGENCY OPERATIONS PLAN" MEANS THE PLAN DEVELOPED AND MAINTAINED BY THE CITY OF LANSING FOR THE PURPOSE OF RESPONDING TO ALL EMERGENCY OR

DISASTER SITUATIONS BY IDENTIFYING AND ORGANIZING THE DISASTER RELIEF FORCE.

- (J) "LOCAL STATE OF EMERGENCY" MEANS A DECLARATION BY THE MAYOR PURSUANT TO THE ACT AND THIS CHAPTER WHICH IMPLEMENTS THE RESPONSE AND RECOVERY ASPECTS OF THE CITY OF LANSING EMERGENCY OPERATIONS PLAN AND AUTHORIZES CERTAIN ACTIONS AS DESCRIBED IN THIS CHAPTER.
- (K) "VITAL RECORDS" MEANS THOSE RECORDS THAT CONTAIN INFORMATION NEEDED TO CONTINUE THE EFFECTIVE FUNCTIONING OF THE CITY OF LANSING AND DEPARTMENTS AND FOR THE PROTECTION OF THE RIGHTS AND INTERESTS OF PERSONS UNDER EMERGENCY CONDITIONS IN THE EVENT OF AN EMERGENCY OR DISASTER SITUATION.

#### 234.03 EMERGENCY MANAGEMENT OFFICE; EMERGENCY MANAGEMENT DIRECTOR.

THERE IS ESTABLISHED AN OFFICE OF EMERGENCY MANAGEMENT WITHIN THE LANSING FIRE DEPARTMENT FOR THE PURPOSE OF COORDINATING ALL EMERGENCY AND DISASTER MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY ACTIVITIES WITHIN THE CITY. IT SHALL BE STAFFED BY AN EMERGENCY MANAGEMENT PROGRAM MANAGER AND SUCH OTHER ASSISTANTS NECESSARY FOR THE PROPER FUNCTIONING OF THE OFFICE. THE FIRE CHIEF, APPOINTED BY THE MAYOR AS THE EMERGENCY MANAGEMENT DIRECTOR, SHALL HAVE RESPONSIBILITY FOR THE ORGANIZATION, ADMINISTRATION, AND OPERATION OF THE OFFICE, SUBJECT TO THE DIRECTION AND CONTROL OF THE MAYOR.

(A) THE MAYOR SHALL ALSO DESIGNATE A MINIMUM OF TWO PERSONS AS SUCCESSORS TO THE POSITION OF EMERGENCY MANAGEMENT DIRECTOR. THE LINE OF SUCCESSION SHALL BE LISTED IN THE EMERGENCY OPERATIONS PLAN.

#### 234.04 EMERGENCY MANAGEMENT DIRECTOR; DUTIES.

(A) THE EMERGENCY MANAGEMENT DIRECTOR SHALL ACT FOR AND AT THE DIRECTION OF THE MAYOR IN THE COORDINATION OF ACTIVITIES DURING TIMES OF MAJOR EMERGENCIES AND DISASTERS.

(B) THE EMERGENCY MANAGEMENT DIRECTOR ASSISTED BY THE EMERGENCY MANAGEMENT PROGRAM MANAGER SHALL COMPLY WITH THE STANDARDS AND REQUIREMENTS AS ESTABLISHED

BY THE DEPARTMENT OF STATE POLICE, EMERGENCY MANAGEMENT DIVISION, UNDER THE AUTHORITY OF THE ACT IN ACCOMPLISHING THE FOLLOWING:

- (1) DIRECT AND COORDINATE THE DEVELOPMENT OF THE CITY OF LANSING EMERGENCY OPERATIONS PLAN, WHICH SHALL BE CONSISTENT IN CONTENT WITH THE MICHIGAN EMERGENCY MANAGEMENT PLAN.
- (2) SPECIFY DEPARTMENTS OR AGENCIES WHICH MUST PROVIDE AN ANNEX TO THE PLAN OR OTHERWISE COOPERATE IN ITS DEVELOPMENT.
- (3) IDENTIFY DEPARTMENTS AND AGENCIES TO BE INCLUDED IN THE EMERGENCY OPERATIONS PLAN AS THE DISASTER RELIEF FORCE.
- (4) COORDINATE THE DEVELOPMENT AND MAINTENANCE OF A CITY RESOURCE MANUAL.
- (5) COORDINATE THE RECRUITMENT AND UTILIZATION OF VOLUNTEER PERSONNEL AND AGENCIES TO AUGMENT CITY RESOURCES FOR EMERGENCY MANAGEMENT PURPOSES.
- (6) ASSURE THE EMERGENCY MANAGEMENT PROGRAM MEETS ELIGIBILITY REQUIREMENTS FOR STATE AND FEDERAL AID.
- (7) COORDINATE AND/OR CONDUCT TRAINING AND EXERCISE PROGRAMS FOR THE DISASTER RELIEF FORCE WITHIN THE CITY AND TO TEST THE ADEQUACY OF THE EMERGENCY OPERATIONS PLAN.
- (8) THROUGH PUBLIC INFORMATION PROGRAMS, EDUCATE THE POPULATION AS TO ACTIONS NECESSARY FOR THE PROTECTION OF LIFE AND PROPERTY IN AN EMERGENCY OR DISASTER.
- (9) ASSIST IN THE DEVELOPMENT OF MUTUAL AID AGREEMENTS, WHICH MAY BE REVIEWED BY CITY COUNCIL..
- (10) OVERSEE THE IMPLEMENTATION OF ALL FUNCTIONS NECESSARY DURING AN EMERGENCY OR DISASTER IN ACCORDANCE WITH THE EMERGENCY OPERATIONS PLAN.
- (11) COORDINATE CITY EMERGENCY MANAGEMENT ACTIVITIES WITH THOSE OF THE COUNTY, STATE AND ADJACENT JURISDICTIONS.
- (12) COORDINATE ALL EMERGENCY PREPAREDNESS ACTIVITIES, INCLUDING MAINTAINING PRIMARY AND ALTERNATE EMERGENCY OPERATIONS CENTERS.
- (13) IDENTIFY MITIGATION OPPORTUNITIES WITHIN THE CITY AND ENCOURAGE

DEPARTMENTS/AGENCIES TO IMPLEMENT  
MITIGATION MEASURES.

(B) THE EMERGENCY MANAGEMENT DIRECTOR SHALL SUPERVISE THE ACTIVITIES OF THE EMERGENCY MANAGEMENT OFFICE ON A CONTINUOUS BASIS. WITH THE ADVICE AND CONSENT OF THE MAYOR, HE/SHE SHALL FORMULATE, REVIEW AND APPROVE POLICY AND OPERATIONAL GUIDELINES FOR THIS OFFICE AS NEEDED.

234.05 MAYOR; POWERS; DUTIES.

(A) WHEN CIRCUMSTANCES WITHIN THE CITY INDICATE THAT THE OCCURRENCE OR THREAT OF OCCURRENCE OF WIDESPREAD OR SEVERE DAMAGE, INJURY OR LOSS OF LIFE OR PROPERTY EXISTS, THE MAYOR MAY DECLARE A LOCAL STATE OF EMERGENCY. SUCH A DECLARATION SHALL BE PROMPTLY FILED WITH THE DEPARTMENT OF STATE POLICE, EMERGENCY MANAGEMENT DIVISION. THIS DECLARATION SHALL NOT BE CONTINUED OR RENEWED FOR A PERIOD IN EXCESS OF 7 DAYS EXCEPT WITH THE CONSENT OF THE CITY COUNCIL.

(B) IF THE MAYOR INVOKES SUCH POWER AND AUTHORITY, HE/SHE SHALL, AS SOON AS REASONABLY EXPEDIENT, CONVENE THE CITY COUNCIL FOR ONE OR MORE EMERGENCY MEETINGS IN ACCORDANCE WITH THE OPEN MEETINGS ACT TO PERFORM ITS NORMAL LEGISLATIVE AND ADMINISTRATIVE DUTIES AS THE SITUATION DEMANDS, AND WILL REPORT TO THAT BODY RELATIVE TO EMERGENCY ACTIVITIES. NOTHING IN THIS ORDINANCE SHALL BE CONSTRUED AS ABRIDGING OR CURTAILING THE POWERS OF THE CITY COUNCIL UNLESS SPECIFICALLY PROVIDED HEREIN.

(C) THE MAYOR MAY DO ONE OR MORE OF THE FOLLOWING UNDER A LOCAL STATE OF EMERGENCY:

- (1) DIRECT THE EMERGENCY MANAGEMENT DIRECTOR TO IMPLEMENT THE EMERGENCY OPERATIONS PLAN.
- (2) ISSUE DIRECTIVES AS TO TRAVEL RESTRICTIONS ON LOCAL ROADS WITHIN THE CITY.
- (3) RELIEVE CITY EMPLOYEES OF NORMAL DUTIES AND TEMPORARILY REASSIGN THEM TO OTHER DUTIES.
- (4) ACTIVATE MUTUAL AID AGREEMENTS.
- (5) DIRECT THE OVERALL DISASTER RELIEF EFFORT, INCLUDING THE DISASTER RELIEF FORCE, IN ACCORDANCE WITH THE EMERGENCY OPERATIONS PLAN.
- (6) NOTIFY THE PUBLIC AND RECOMMEND IN-

PLACE SHELTER OR EVACUATION  
PROTECTIVE MEASURES.

(7) REQUEST A STATE OF DISASTER OR EMERGENCY DECLARATION FROM THE GOVERNOR AS DESCRIBED IN 234.06.

(8) WHEN OBTAINING NORMAL APPROVALS WOULD RESULT IN FURTHER INJURY OR DAMAGE, THE MAYOR MAY, UNTIL THE CITY COUNCIL CONVENES, WAIVE PROCEDURES AND FORMALITIES OTHERWISE REQUIRED PERTAINING TO THE FOLLOWING:

- A. FOR A PERIOD OF UP TO 7 DAYS, SEND THE DISASTER RELIEF FORCE AND RESOURCES TO THE AID OF OTHER COMMUNITIES AS PROVIDED BY MUTUAL AID AGREEMENTS.
- B. FOR A PERIOD OF UP TO 7 DAYS APPROPRIATE AND EXPEND FUNDS.
- C. FOR A PERIOD OF UP TO 7 DAYS MAKE CONTRACTS, OBTAIN AND DISTRIBUTE EQUIPMENT, MATERIALS, AND SUPPLIES FOR DISASTER PURPOSES.
- D. EMPLOY TEMPORARY WORKERS.
- E. PURCHASE AND DISTRIBUTE SUPPLIES, MATERIALS, AND EQUIPMENT.
- F. MAKE, AMEND, OR RESCIND ORDINANCES OR RULES NECESSARY FOR EMERGENCY MANAGEMENT PURPOSES WHICH SUPPLEMENT A RULE, ORDER OR DIRECTIVE ISSUED BY THE GOVERNOR OR A STATE AGENCY. SUCH AN ORDINANCE OR RULE SHALL BE TEMPORARY AND, UPON THE GOVERNOR'S DECLARATION THAT A STATE OF DISASTER OR STATE OF EMERGENCY IS TERMINATED, SHALL NO LONGER BE IN EFFECT.

(D) IF A STATE OF DISASTER OR EMERGENCY IS DECLARED BY THE GOVERNOR, ASSIGN AND MAKE AVAILABLE FOR DUTY THE EMPLOYEES, PROPERTY, OR EQUIPMENT OF THE CITY WITHIN OR WITHOUT THE PHYSICAL LIMITS OF THE CITY AS ORDERED BY THE GOVERNOR OR THE DIRECTOR OF THE MICHIGAN DEPARTMENT OF STATE POLICE IN ACCORDANCE WITH THE ACT.

234.06 GOVERNOR DECLARATION REQUEST.

(A) IF A DISASTER OR EMERGENCY OCCURS THAT HAS NOT YET BEEN DECLARED TO BE A STATE OF DISASTER OR STATE OF EMERGENCY BY THE GOVERNOR, AND THE MAYOR DETERMINES THAT THE SITUATION IS BEYOND THE CONTROL OF THE MUNICIPALITY, HE/SHE MAY REQUEST THE GOVERNOR TO DECLARE THAT A STATE OF DISASTER OR STATE OF EMERGENCY EXISTS IN THE MUNICIPALITY. THE EMERGENCY MANAGEMENT

DIRECTOR SHALL IMMEDIATELY CONTACT THE DISTRICT COORDINATOR. THE DISTRICT COORDINATOR, IN CONJUNCTION WITH THE EMERGENCY MANAGEMENT DIRECTOR, SHALL ASSESS THE NATURE AND SCOPE OF DISASTER OR EMERGENCY, AND THEY SHALL RECOMMEND THE STATE PERSONNEL, SERVICES, AND EQUIPMENT THAT WILL BE REQUIRED FOR ITS PREVENTION, MITIGATION, OR RELIEF.

234.07 MUNICIPAL DEPARTMENTS; LIAISON; DUTIES.

(A) EACH DEPARTMENT/AGENCY OF CITY GOVERNMENT IDENTIFIED BY THE EMERGENCY MANAGEMENT DIRECTOR SHALL APPOINT AN EMERGENCY MANAGEMENT LIAISON WHO SHALL COORDINATE THE EMERGENCY MANAGEMENT ACTIVITIES OF THE DEPARTMENT/AGENCY AND ACT AS A LIAISON BETWEEN HIS/HER DEPARTMENT OR AGENCY AND THE EMERGENCY MANAGEMENT OFFICE ON ALL MATTERS PERTAINING TO EMERGENCY MANAGEMENT.

(B) EACH DEPARTMENT IDENTIFIED SHALL APPOINT A MINIMUM OF TWO PEOPLE TO SERVE AS SUCCESSORS IN THE EVENT THE EMERGENCY MANAGEMENT LIAISON IS NOT AVAILABLE OR REQUIRES ASSISTANCE. SUCCESSORS SHALL BE LISTED IN THE APPROPRIATE ANNEX TO THE EMERGENCY OPERATIONS PLAN.

(C) EACH DEPARTMENT LIAISON SHALL BE RESPONSIBLE FOR THE FOLLOWING:

- (1) PREPARE AND CONTINUOUSLY UPDATE AN ANNEX TO THE CITY OF LANSING EMERGENCY OPERATIONS PLAN PROVIDING FOR THE DELIVERY OF EMERGENCY MANAGEMENT ACTIVITIES BY THAT AGENCY OR DEPARTMENT. THE ANNEX SHALL BE IN THE FORM PRESCRIBED BY THE EMERGENCY MANAGEMENT DIRECTOR.
- (2) RECRUIT, APPOINT, AND ORGANIZE PRIVATE, VOLUNTEER AND OTHER PERSONNEL TO BE PART OF THE DISASTER RELIEF FORCE TO PERFORM SPECIFIC DUTIES AS ASSIGNED IN THE EMERGENCY OPERATIONS PLAN.
- (3) COORDINATE THE AGENCY'S OR DEPARTMENT'S EMERGENCY MANAGEMENT EFFORTS WITH THOSE OF OTHER AGENCIES.
- (4) ATTEND TRAINING COURSES RELEVANT TO THE FUNCTION OF THE AGENCY OR DEPARTMENT, AND ENSURE STAFF IS TRAINED SO AS TO BE ABLE TO IMPLEMENT ASSIGNED EMERGENCY FUNCTIONS.
- (5) PARTICIPATE IN PERIODIC EXERCISES TO ENHANCE THE ADEQUACY OF THE

RESPECTIVE AGENCY'S OR DEPARTMENT'S RESPONSE CAPABILITY.

- (6) DEVELOP INTERNAL STANDARD OPERATING GUIDELINES TO ACCOMPLISH EMERGENCY NOTIFICATION AND ASSIGNED EMERGENCY TASKS.
- (7) PROVIDE THE EMERGENCY MANAGEMENT DIRECTOR WITH A LIST OF PERSONNEL AND RESOURCES AVAILABLE WITHIN THE AGENCY OR DEPARTMENT AND PROVIDE A LIST OF THOSE WHICH MAY BE NEEDED BY THE DEPARTMENT DURING TIMES OF EMERGENCY.
- (8) IDENTIFY AND PROVIDE FOR THE PROTECTION OF VITAL RECORDS.
- (9) IMPLEMENT THE DIRECTIVES OF THE MAYOR OR HIS/HER DESIGNEE UNDER A LOCAL STATE OF EMERGENCY.

234.08 VOLUNTEERS; APPOINTMENT.

(A) EACH MUNICIPAL DEPARTMENT, COMMISSION, BOARD, OR OTHER AGENCY OF MUNICIPAL GOVERNMENT IS AUTHORIZED TO APPOINT VOLUNTEERS TO AUGMENT ITS PERSONNEL IN TIME OF EMERGENCY TO IMPLEMENT EMERGENCY FUNCTIONS ASSIGNED IN THE EMERGENCY OPERATIONS PLAN. SUCH INDIVIDUALS ARE PART OF THE DISASTER RELIEF FORCE AND SHALL BE SUBJECT TO THE RULES AND OPERATIONAL CONTROL SET FORTH BY THE RESPECTIVE DEPARTMENT, COMMISSION, BOARD, OR AGENCY THROUGH WHICH THE APPOINTMENT WAS MADE, AND MAY BE REIMBURSED FOR ALL ACTUAL AND NECESSARY TRAVEL AND SUBSISTENCE EXPENSES.

234.09 RIGHTS OF DISASTER RELIEF FORCE.

(A) IN ACCORDANCE WITH THE ACT, PERSONNEL OF THE DISASTER RELIEF FORCE WHILE ON DUTY SHALL HAVE THE FOLLOWING RIGHTS:

- (1) IF THEY ARE EMPLOYEES OF THE MUNICIPALITY, OR OTHER GOVERNMENTAL AGENCY REGARDLESS OF WHERE SERVING, HAVE THE POWERS, DUTIES, RIGHTS, PRIVILEGES, AND IMMUNITIES AND RECEIVE THE COMPENSATION INCIDENTAL TO THEIR EMPLOYMENT.
- (2) IF THEY ARE NOT EMPLOYEES OF THE MUNICIPALITY OR OTHER GOVERNMENTAL AGENCY, BE ENTITLED TO THE SAME RIGHTS AND IMMUNITIES AS ARE PROVIDED FOR BY LAW.

234.10 TEMPORARY SEAT OF GOVERNMENT.

(A) THE MAYOR SHALL PROVIDE FOR THE



TEMPORARY MOVEMENT AND REESTABLISHMENT OF ESSENTIAL GOVERNMENT OFFICES IN THE EVENT THAT EXISTING FACILITIES CANNOT BE USED.

#### 234.11 LIABILITY.

(A) AS PROVIDED FOR IN THE ACT AND THIS ORDINANCE, THE MUNICIPALITY, OR THE AGENTS OR REPRESENTATIVES OF THE MUNICIPALITY, SHALL NOT BE LIABLE FOR PERSONAL INJURY OR PROPERTY DAMAGE SUSTAINED BY THE DISASTER RELIEF FORCE. IN ADDITION, ANY MEMBER OF THE DISASTER RELIEF FORCE ENGAGED IN DISASTER RELIEF ACTIVITY SHALL NOT BE LIABLE IN A CIVIL ACTION FOR DAMAGES RESULTING FROM AN ACT OR OMISSION ARISING OUT OF AND IN THE COURSE OF THE PERSON'S GOOD FAITH RENDERING OF THAT ACTIVITY, UNLESS THE PERSON'S ACT OR OMISSION WAS THE RESULT OF THAT PERSON'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT. THE RIGHT OF A PERSON TO RECEIVE BENEFITS OR COMPENSATION TO WHICH HE/SHE MAY OTHERWISE BE ENTITLED TO UNDER THE WORKER'S COMPENSATION LAW, ANY PENSION LAW, OR ACT OF CONGRESS WILL NOT BE EFFECTED AS A RESULT OF SAID ACTIVITY.

(B) AS PROVIDED FOR IN THE ACT, ANY PERSON OWNING OR CONTROLLING REAL ESTATE OR OTHER PREMISES WHO VOLUNTARILY AND WITHOUT COMPENSATION GRANTS THE MUNICIPALITY THE RIGHT TO INSPECT, DESIGNATE AND USE THE WHOLE OR ANY PART OF SUCH REAL ESTATE OR PREMISES FOR THE PURPOSE OF SHELTERING PERSONS OR FOR ANY OTHER DISASTER RELATED FUNCTION DURING A DECLARED LOCAL STATE OF EMERGENCY OR DURING AN AUTHORIZED PRACTICE DISASTER EXERCISE, SHALL NOT BE CIVILLY LIABLE FOR THE DEATH OF, OR INJURY TO, ANY PERSON ON OR ABOUT SUCH REAL ESTATE OR PREMISES UNDER SUCH LICENSE, PRIVILEGE OR OTHER PERMISSION, OR FOR LOSS OF, OR DAMAGE TO, THE PROPERTY OF SUCH PERSON.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT

ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE,

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER ALLEN

### OTHER BUSINESS

#### ► PUBLIC COMMENT OF CITY RELATED MATTERS

KIRK KUNKLEMAN OF 324 S. HAYFORD SPOKE IN SUPPORT OF THE CREATION OF A CITIZENS REVIEW BOARD. HE STATED THAT THE CITY HANDLED LAST SATURDAY'S EVENTS VERY BADLY.

ED SIMMER OF 2609 DIER SAID THAT THERE IS TROUBLE WITH THE POLICE IN THE LANSING AREA. A CITIZENS REVIEW BOARD NEEDS TO BE CREATED, BUT IT NEEDS TO BE CREATED ON A STATE-WIDE BASIS. THE BOARD OF POLICE COMMISSIONERS IS NOT DOING THEIR JOB. SYSTEM COMPLAINTS FALL ON DEAF EARS. HE STATED HIS SUPPORT OF REVEREND STONE.

PETER BUNTON OF 3311 BRISBANE CRITICIZED THE LOCATION SELECTED AS THE SITE OF THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE. HE ACCUSED THE MAYOR'S OFFICE OF FAILING TO BE COLLABORATIVE ON THIS ISSUE. HE COMPLAINED ABOUT THE TREATMENT THE MARCH FOR JUSTICE HAS RECEIVED FROM THE STATE JOURNAL.

KRISTIN SMITH OF 2244 TECUMSEH RIVER DR. SPOKE REGARDING THE LETTER ON TONIGHT'S AGENDA REQUESTING ADOPTION OF A DAYTIME CURFEW ORDINANCE.

REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH STATED HIS OUTRAGE WITH THE WAY THAT THE STATE JOURNAL MISREPRESENTED THE MISSION OF THE MARCH FOR JUSTICE. THE STATE JOURNAL HAS CHARACTERIZED THEM AS STAGING PROTESTS AGAINST THE POLICE. THIS IS NOT TRUE. THEY ARE PROTESTING DISCRIMINATION, ABUSE AND BRUTALITY BY THE POLICE. HE URGED COUNCILMEMBERS TO AGREE WITH THE RECOMMENDATIONS OF THE MARCH FOR JUSTICE FOR A CITIZENS REVIEW BOARD. WE CAN NO LONGER LEAVE THE RESPONSIBILITY FOR INVESTIGATING CITIZENS COMPLAINTS TO THE BOARD OF POLICE COMMISSIONERS. HE ASKED MAYOR HOLLISTER TO RECONSIDER THE DATE SET FOR THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE.

DARNELL OLDHAM, SR. OF 3815 BERWICK SENT HIS BEST WISHES FOR A SPEEDY RECOVERY TO LEWIS AND

VIRGINIA BOZEK.

REVEREND ANDREW BRODIES OF 1114 GLENN ST. COMMENDED THE LANSING COMMUNITY FOR THE SUPPORT THEY HAVE GIVEN TO THE MARCH FOR JUSTICE, AND TO DOCTOR STONE FOR THE MARVELOUS JOB HE HAS DONE. HE STATED THAT THE MARCH FOR JUSTICE MEMBERS WILL BE OUT CIRCULATING PETITIONS FOR THE NECESSARY CHARTER AMENDMENT THAT WILL ALLOW FOR THE CREATION OF THE CITIZENS REVIEW BOARD. HE URGED THE PUBLIC TO BOYCOTT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. THANKED COUNCILMEMBER BEAL FOR STICKING TO THE RULES. HE STATED HIS SUPPORT FOR THE CREATION OF A DAYTIME CURFEW ORDINANCE.

ALBERTA JORDAN, NO ADDRESS GIVEN, STATED THAT SHE WILL BRING CHARGES AGAINST A MEMBER OF MAYOR HOLLISTER'S STAFF FOR "SETTING HER SON UP TO GO TO JAIL."

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN SUPPORT OF THE CREATION OF A CITIZENS REVIEW BOARD. THE PUBLIC MAY NOT LIKE THE LEADERSHIP, TACTICS AND MOTIVES OF THE MARCH FOR JUSTICE, BUT THEY MUST LIKE THE BOTTOM LINE. ALL THE MARCH FOR JUSTICE WANTS IS A BETTER POLICE DEPARTMENT THAT WILL BE ACCOUNTABLE. THIS WILL MAKE FOR A BETTER COMMUNITY. HE CRITICIZED MAYOR HOLLISTER FOR SWITCHING SIDES ON THE STORM SEWER RATE METHODOLOGY. WHEN HE WAS A STATE REPRESENTATIVE, HE SUPPORT THE 100% COMMODITIES BASED RATE.

REVEREND LAWRENCE HINTON OF 909 W. SAGINAW SPOKE IN SUPPORT OF THE MARCH FOR JUSTICE. HE COMPLIMENTED THEM ON THE GREAT MARCH THEY HELD LAST SATURDAY. IT WAS A WELL ORGANIZED, WELL STRUCTURED, WELL ATTENDED EVENT. HE WOULD HAVE LIKED TO SEE COUNCILMEMBERS IN ATTENDANCE TO HEAR REVEREND STONE'S DEMANDS FOR A CITIZENS REVIEW BOARD. ALL THEY WANT IS FOR POLICE OFFICERS TO BE ACCOUNTABLE FOR THEIR DEEDS WHEN THEY ARE BAD. EVERYONE SHOULD HAVE ACCOUNTABILITY FOR WHAT THEY DO.

ALEXANDER BOLT OF 1230 REO RD. STATED HIS POSITION WITH REGARD TO THE RESOLUTION ASKING THE SUPREME COURT TO RULE ON CARTO'S APPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE LAWSUIT.

KAY CARTER OF 402 CARRIER STATED THAT SHE IS HERE TO PROTEST THE STORMWATER ENTERPRISE FUND

FEES BILLS THAT THEY RECEIVED IN 1996 AND 1997.

HELEN FISER OF 12100 S. CORK RD., IN MORRICE SAID THAT THE DECISION OF THE COURT OF APPEALS IN THE CARTO LAWSUIT MAY HAVE BEEN A LEMON, BUT THEY WILL MAKE LEMONADE. SHE URGED EVERYONE WHO FEELS THAT THEY ARE NOT RECEIVING A SERVICE FROM THE STORMWATER ENTERPRISE FACILITY TO FILE A CLAIM FOR REFUND OF THE FEES THEY HAVE PAID.

MELANIE ROGERS OF 409 W. WILLOW SAID THAT SHE, AND HER HUSBAND, HAVE NOW COMPLETED THE SIDING ON THE FRONT 2/3 OF THEIR HOME. SHE SAID THAT THE CITY'S BUILDING SAFETY DIVISION NEEDS A METHOD FOR PRIORITIZATION OF CODE COMPLIANCE PERMITS.

JOHNNY CAMPBELL OF 317 N. PENNSYLVANIA SPOKE IN SUPPORT OF THE MARCH FOR JUSTICE AND THEIR REQUEST FOR CREATION OF A CITIZENS REVIEW BOARD. IT IS NOT JUST AFRICAN AMERICANS WHO ARE BACKING REVEREND STONE IN THIS REQUEST. IT IS ALL RACES.

ANGELA MATTHEWS OF 723 W. SHIAWASSEE SPOKE REGARDING A PREVAILING ATTITUDE PROBLEM AT THE POLICE DEPARTMENT.

AMMAHAD SHEKARAKKI OF 902 W. WILLOW THANKED EVERYONE WHO CAME OUT AND SUPPORTED THE MARCH FOR JUSTICE LAST SATURDAY. IT IS SAD THAT IN 1997 AFRICAN AMERICANS MUST STILL FIGHT FOR JUSTICE.

ANTHONY MUHAMMAD OF 1514 N. M.L. KING BLVD. SAID THAT HE REPRESENTS LOUIS FARRAKAND, AND THEY SUPPORT THE CREATION OF A CITIZENS REVIEW BOARD. JUSTICE IS AN INCONTRIVERTIBLE RIGHT OF EVERY CITIZEN. COUNCILMEMBERS MUST ALLOW THEMSELVES TO BE GUIDED BY MORALITY AND PRINCIPALS.

FRANK S. CURTIS "X" OF 4708 INGHAM ST. SAID THAT THE CITY DECIDED TO TAKE THIS ISSUE INTO THEIR OWN HANDS. PEOPLE HAD BETTER TREAT THEM RIGHT.

REVEREND TIMOTHY MCCARTHY OF 1223 VICTORIA DR. STATED HIS FRUSTRATION AND DISSATISFACTION THAT BOTH THE MAYOR'S OFFICE AND COUNCILMEMBERS HAVE FAILED TO ADOPT THE MARCH FOR JUSTICE'S RECOMMENDATION FOR THE CREATION OF A CITIZENS REVIEW BOARD.

ROBERT OVALLE OF 110 E. POINTE IN EAST LANSING SAID THAT HE PARTICIPATED IN THE MARCH FOR JUSTICE LAST SATURDAY. ALL THEY WANT IS JUSTICE. HE STATED THAT HE HAS BEEN TO MAYOR HOLLISTER AND TO COUNCILMEMBER BENAVIDES. NEITHER OF

THEM DID ANYTHING FOR HIM. HE STATED HIS SUPPORT OF REVEREND STONE AND WHAT HE IS TRYING TO ACCOMPLISH.

BETTY SANFORD OF 342 CORRAL POST SPOKE IN SUPPORT OF THE MARCH FOR JUSTICE. THE MAKEUP ON COUNCIL DOES NOT REPRESENT THE COMMUNITY. SHE SUPPORTS THE CREATION OF A CITIZENS REVIEW BOARD.

TOM LAFFERTY OF 1806 W. MICHIGAN URGED COUNCILMEMBERS TO PUT A STOP TO THE CSO PROJECT.

JOSIE LOPEZ OF 807 N. LARCH SAID THAT THE FAMILY OF JESSE TIERINA SUPPORT THE CREATION OF A CITIZENS REVIEW BOARD. THERE HAVE BEEN TOO MANY MURDERS AND INJUSTICES BY THE POLICE DEPARTMENT.

COUNCILMEMBER NOVAK LEFT THIS MEETING OF THE CITY COUNCIL AT 9:10 P.M.

#### REPORTS OF COUNCIL COMMITTEES

##### RESOLUTION #212 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE DRAFT STATEMENT OF PROPOSED OBJECTIVES, GOALS AND PROJECTED USE OF COMMUNITY DEVELOPMENT FUND RESOURCES FOR FISCAL YEAR 1997-98 WHICH IDENTIFIES THE ACTIVITIES TO BE UNDERTAKEN BY THE CITY USING COMMUNITY DEVELOPMENT BLOCK GRANT, HOME PROGRAM AND EMERGENCY SHELTER GRANT PROGRAM FUNDS.

REPORTS AS FOLLOWS: THE COMMITTEE REVIEWED THE GOALS AND OBJECTIVES AND HEARD TESTIMONY FROM VARIOUS AGENCIES AND RECOMMENDS THEIR APPROVAL.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE APPROVED.

CARRIED UNANIMOUSLY

##### RESOLUTION #213 REPORT OF COMMITTEE

THE COMMITTEE ON GENERAL SERVICES, TO WHOM WAS REFERRED THE 1996 AFFIRMATIVE ACTION

REPORT WHICH INCLUDES HIRING AND TERMINATION DATA FOR THE VARIOUS CITY DEPARTMENTS AND AN OVERVIEW OF THE JOB GROUPINGS OUTLINED IN THE CITY'S EQUAL OPPORTUNITY/AFFIRMATIVE ACTION PLAN.

REPORTS AS FOLLOWS: THE COMMITTEE REVIEWED 1996 AFFIRMATIVE ACTION REPORT AND RECEIVED AN EXTENSIVE VERBAL REPORT FROM REPRESENTATIVES FROM THE HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT AS WELL AS THE FIRE AND POLICE DEPARTMENTS. THE COMMITTEE WAS PROVIDED DATA THAT DISPLAYED THE DEPARTMENT'S PROGRESS IN WORKING TOWARD GREATER DIVERSIFICATION OF THE CITY'S WORK FORCE.

SIGNED: TONY BENAVIDES, CHAIRPERSON  
PAUL NOVAK  
JOAN BAUER

BY COUNCILMEMBER BENAVIDES

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

##### RESOLUTION #214 REPORT OF COMMITTEE

BY THE COMMITTEE ON PUBLIC SAFETY, TO WHOM WAS REFERRED A REPORT FROM THE MAYOR AND THE CITY ATTORNEY ON THE EMERGENCY MANAGEMENT ORDINANCE.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE PROPOSED EMERGENCY MANAGEMENT ORDINANCE FOR THE PURPOSE OF ESTABLISHING A NEW CHAPTER, CHAPTER 234, OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING BE APPROVED.

SIGNED: SANDY ALLEN  
TONY BENAVIDES  
PAUL NOVAK

BY COUNCILMEMBER ALLEN:

THAT THE REPORT OF THE COMMITTEE BE RECEIVED

CARRIED UNANIMOUSLY

PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER ALLEN

##### REPORT OF COMMITTEE

BY THE COMMITTEE ON PUBLIC SAFETY, TO WHOM WAS REFERRED LETTERS EXPRESSING SUPPORT FOR THE LANSING POLICE DEPARTMENT COMMUNITY EXCHANGE PROGRAM.

REPORTS AS FOLLOWS: THE COMMITTEE WAS BRIEFED ON THE PREVIOUS POLICE EXCHANGE PROGRAM AND REVIEWED THE BENEFITS OF THE LANSING POLICE DEPARTMENT'S PARTICIPATION WITH FOREIGN COUNTRIES. THE COMMITTEE SUPPORTS THE LANSING POLICE DEPARTMENT AND SHIGA PREFECTURAL POLICE DEPARTMENT AND LANSING/OTSU POLICE OFFICER EXCHANGE PROGRAM. FURTHERMORE, THE COMMITTEE SUPPORTS COMMUNITY POLICING EXCHANGE PROGRAM PARTICIPATION WITH OTHER CULTURAL FOREIGN COUNTRIES.

SIGNED: SANDY ALLEN  
TONY BENAVIDES  
PAUL NOVAK

BY COUNCILMEMBER ALLEN:

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

### **CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

- ▶ PEDDLER: MITCHELL JOEL SCHULTZ  
RICKY J. NELSON
- ▶ SECOND HAND DEALER: ELDERLY INSTRUMENTS.  
CAPITOL DISCOUNT & SECOND HAND STORE (2 LOCATIONS), GOOD DEALS ASSOCIATES, ACTION DISCOUNT HOUSE, AMVETS SERVICES INC. OF MARYLAND, FUNCO, INC.
- ▶ VEHICLE FOR HIRE: CAPITOL TRANSPORT, LLC
- ▶ WRECKER SERVICE: NORTHSIDE SERVICES, INC., MAC'S ALL CAR SERVICE, INC., HIDEY'S TOWING & SNOWPLOWING INC., BUTCH'S TOWING, JERRY'S AUTOMOTIVE, JACK'S AUTOMOTIVE SERVICE, K & D TOWING, DUANE'S SHELL, INC. & TOWN & COUNTRY SHELL,

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE CITY ATTORNEY RE: WILLIAM BURT BURLESON & BILLIE O'BERRY V CITY OF LANSING

RECEIVED AND PLACED ON FILE

4. LETTERS FROM PATRICIA COOK, ECONOMIC DEVELOPMENT CORPORATION MANAGER AND TAX INCREMENT FINANCE AUTHORITY MANAGER RE:

A. PROPOSED PROJECT PLAN; QUALITY DAIRY CO.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

B. FOURTH AMENDED TAX INCREMENT FINANCING & DEVELOPMENT PLAN EXHIBITS SETTING FORTH PROJECT AREA BOUNDARIES AND ESTIMATED TAX CAPTURE FROM AMENDED BOUNDARIES

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

5. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: LPD, PERSONNEL

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. LETTER OF APPRECIATION FROM SHERIFF GENE L. WRIGGLESWORTH TO LPD SGT. ERIC LONGORIA

RECEIVED AND PLACED ON FILE

C. REQUEST FOR TRANSFER OF EMPLOYMENT - AUTO AIR COMPOSITES, INC.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

D. Z-05-97, 411 & 415 E. CAVANAUGH RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

E. Z-06-97, 810 W. SAGINAW ST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

F. Z-07-97, 315 E. JOLLY RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

G. LETTER OF APPRECIATION FROM GREGORY J. MERTZ, DEPT. OF TREASURY UNITED STATES SECRET SERVICE TO LPD LT. JOHN DAMA AND LANSING POLICE DEPARTMENT

RECEIVED AND PLACED ON FILE

H. REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS FROM THE NORTH LANSING COMMUNITY ASSOCIATION FOR THEIR HERITAGE FESTIVAL

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

### COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. CAPITAL REGION AIRPORT AUTHORITY FY 1997-98 BUDGET

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. LETTER FROM SUSAN K. WITTING, CHAIRMAN OF THE NORTH PRECINCT ADVISORY BOARD REQUESTING ADOPTION OF A DAYTIME JUVENILE CURFEW ORDINANCE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION SUBMITTING CONTRACT #97-5154 FOR CAVANAUGH RD. RECONSTRUCTION

REFERRED TO THE MAYOR AND THE PUBLIC SERVICES BOARD

4. LETTER OF RESIGNATION FROM HERM BUSHNELL OF THE CAPITAL AREA RAIL COUNCIL

REFERRED TO THE COMMITTEE OF THE WHOLE

5. LETTER FROM JAMES M. PANETTA OF 707 SEYMOUR AVE. REGARDING HIS PREVIOUS COMMUNICATIONS REQUESTING ADOPTION OF A CITY OF LANSING ANIMAL CONTROL ORDINANCE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. LETTER FROM DARLENE SHERRELL OF 3010 W. JOLLY RD. REGARDING THE FLUORIDATION OF DRINKING WATER

RECEIVED AND PLACED ON FILE

7. LETTER FROM THE TRI-COUNTY REGIONAL PLANNING COMMISSION REQUESTING A CITY OF LANSING APPOINTMENT TO THE COMMISSION TO FILL THE VACANCY CREATED BY THE EXPIRATION OF THE TERM OF SHIRLEY RODGERS ON MAY 31, 1997

REFERRED TO THE COMMITTEE OF THE WHOLE

8. RESOLUTION ADOPTED BY THE CITY OF WILLIAMSTON; STATEMENT OF INTENT TO JOIN WITH THE CITY OF LANSING AND INGHAM COUNTY TO ESTABLISH A DISTRICT LIBRARY

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

9. NOTICE FROM THE STATE OF MICHIGAN PUBLIC SERVICE COMMISSION OF A HEARING FOR THE CUSTOMERS OF CONSUMERS ENERGY COMPANY CASE #U10973-R

RECEIVED AND PLACED ON FILE

10. LETTER FROM SHIRLEY J. MURRAY, PRESIDENT OF THE MOORES PARK NEIGHBORHOOD STATING THEIR OPPOSITION TO Z-04-97, ARBOR DRUG PETITION FOR REZONING AT THE CORNER OF MT. HOPE AVE. AND M.L. KING, JR. BLVD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

11. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES OF ISSUANCE OF A PERMIT FOR SEWERAGE SYSTEM CONSTRUCTION TO THE CITY OF LANSING FOR SEWER EXTENSION TO MARKHAM SUPERSTORE (REVISED)

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

12. LETTER FROM RESIDENTS AT 5924 VALENCIA BLVD. STATING THEIR OPPOSITION TO A MULTI-FAMILY HOUSING DEVELOPMENT PROPOSED FOR S. M.L. KING, JR. BLVD BETWEEN HAAG RD. AND HUGHES RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

13. LETTER FROM ATTORNEYS REGARDING WILLIAM BURT BURLESON AND BILLIE O'BERRY V CITY OF LANSING

RECEIVED AND PLACED ON FILE

14. LETTER FROM FRIENDS OF BANCROFT PARK REGARDING BUDGETING NEEDS

REFERRED TO THE COMMITTEE OF THE WHOLE AT THE BUDGET WRAP UP SESSION

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BAUER URGED INTERESTED PARTIES TO VOLUNTEER FOR BACKUP FOR THE 911 SYSTEM BOARD.

COUNCILMEMBER LILLY CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE DEVELOPMENT AND PLANNING COMMITTEE MEETING TOMORROW, WHERE THEY WILL TAKE UP PRD-01-97, THE PLANNED RESIDENTIAL DEVELOPMENT PROPOSAL FOR M.L. KING, JR. BLVD. AND HAAG ROAD. HE URGED RESIDENTS TO ATTEND THIS MEETING TOMORROW AT 4:00 P.M. THIS PROJECT HAS SPURRED A LOT OF INTEREST IN THE NEIGHBORHOOD.

COUNCILMEMBER JONES MADE COMMENTS REGARDING THE PROPOSED BILLBOARD BAN, AND THE LANSING STATE JOURNAL, WHICH OWNS ONE OF THE LARGEST OUTDOOR ADVERTISING FIRMS IN THE COUNTRY.

COUNCILMEMBER LEEMAN PRESENTED A VIDEO TAPE REGARDING THE RECONSTRUCTION PROJECT IN THE CITY HALL BASEMENT. HE THANKED THE PARKS DEPARTMENT AND THE POLICE DEPARTMENT FOR TAKING CARE OF ACTIVITIES AT RIVERFRONT PARK LAST WEEKEND. HE SUGGESTED THAT THE CITY REQUIRE A PERFORMANCE BOND THAT WOULD REQUIRE PARTIES WHO RENT RIVERFRONT PARK TO CLEAN IT UP, IN ORDER TO RETRIEVE THEIR BOND MONEY. HE REPORTED GETTING CALLS FROM SEVERAL BUSINESS OWNERS WHO HAD TO CLOSE THEIR BUSINESSES EARLY ON SATURDAY NIGHT DUE TO DISRESPECT FOR AND DESTRUCTION OF PROPERTY CAUSED BY PEOPLE ATTENDING THE EVENT AT RIVERFRONT PARK.

COUNCILMEMBER ALLEN URGED RESIDENTS TO KEEP THEIR PETS UNDER CONTROL, AS THE WEATHER GETS WARMER AND EVERYONE BEGINS SPENDING A LOT MORE TIME OUT OF DOORS. SHE WITNESSED A SMALL BOY BEING ATTACKED BY A DOG, AND WANTS TO REMIND EVERYONE TO KEEP THEIR PETS LEASHED. ALSO, SHE REMINDED RESIDENTS THAT THE CITY OF LANSING HAS A NOISE ORDINANCE. CAR STEREO'S SHOULD BE KEPT AT A REASONABLE LEVEL SO AS TO NOT ANNOY OTHERS.

COUNCILMEMBER BEAL ANNOUNCED HER INTENT TO ATTEND THE SPRING SPECTATULAR AT THE WHARTON CENTER TO SEE COUNCILMEMBER JONES GET THE "GOLDEN LEAF" AWARD FOR VOLUNTEERISM FOR HIS EFFORTS AND SUCCESSES ON PROJECT PLAY. SHE RESPONDED TO REMARKS MADE BY MARCH FOR JUSTICE PARTICIPANTS. COUNCILMEMBERS WERE UNABLE TO ATTEND THE MARCH FOR JUSTICE, BECAUSE

THEY WERE ENGAGED IN BUDGET MEETINGS ALL DAY. THERE WILL BE ANOTHER BUDGET HEARING THIS THURSDAY FROM 3:00 P.M. TO 6:00 P.M., WHERE THEY WILL TAKE UP THE PUBLIC SERVICE DEPARTMENT BUDGET. ONE WEEK FROM SATURDAY IS BUDGET WRAP UP.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

LIZA ESTLUND OLSON REMINDED COUNCILMEMBERS AND THE PUBLIC OF THE HOUSING FAIR THIS SATURDAY FROM 9:00 A.M. TO 3:00 P.M. AT THE LANSING CENTER. THE FIRST 200 PEOPLE IN THE DOOR WILL RECEIVE A FREE COPY OF THEIR CREDIT REPORT.

SHE CAUTIONED COUNCILMEMBER LEEMAN THAT HE WAS IN VIOLATION OF MIOSHA REGULATIONS WHEN HE WENT INTO THE BASEMENT RECONSTRUCTION AREA WITHOUT WEARING A HARD HAT. SHE ANNOUNCED THAT THE MARCH OF DIMES FUND RAISER AT POTTER PARK LAST SATURDAY DREW 700+ PEOPLE. THE UNITY EVENT AT RIVERFRONT PARK DREW 4,500 PEOPLE, AND THE CLEAN RIVER "ADOPT A RIVER" EVENT WAS VERY SUCCESSFUL.

**ADJOURNED 9:45 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MAY 5, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, JONES, LEEMAN, LILLY, NOVAK

ABSENT: COUNCILMEMBER BENAVIDES

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE OF THE PRINTED COUNCIL PROCEEDINGS OF APRIL 21, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LILLY; A REQUEST FOR TRANSFER OF FUNDS FROM MAYOR HOLLISTER FOR LEPFA FOR THE DIAMOND CLASSIC

2. FROM COUNCILMEMBER LILLY; A REQUEST FROM THE INGHAM INTERMEDIATE SCHOOL DISTRICT FOR APPROPRIATION OF COMMUNITY USE FUNDS FOR AN EVENT AT THE LANSING CENTER ON ALTERNATIVE CAREER CHOICES FOR YOUNG WOMEN

3. FROM COUNCILMEMBER BAUER; A RESOLUTION APPOINTING JOAN TRESIZE TO THE DISTRICT LIBRARY BOARD

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCIL PRESIDENT BEAL ANNOUNCED THAT THE COMMITTEE OF THE WHOLE MEETING WILL BE HELD AT 3:00 P.M. THIS

THURSDAY, RATHER THAN 4:00 P.M., AND THAT BUDGET WRAP UP WILL BEGIN AT 9:00 A.M. ON SATURDAY.

DAVID WIENER, EXECUTIVE ASSISTANT TO MAYOR HOLLISTER, ANNOUNCED THAT ON WEDNESDAY, MAY 7, 1997 AT 10:00 A.M. THE "BIG LUG" WILL APPEAR AT POST OAK SCHOOL TO LEAD 500 CHILDREN IN EXERCISE AS PART OF THE ACES PROGRAM (ALL CHILDREN EXERCISE SIMULTANEOUSLY). HE ANNOUNCED A FREE CITY/COUNTY HAZARDOUS MATERIALS CLASS TO INFORM PEOPLE HOW TO DISPOSE OF HAZARDOUS WASTE MATERIALS, SUCH AS; PAINT, OIL, PESTICIDES, GAS AND OTHER HAZARDOUS WASTE MATERIALS. THESE ITEMS WILL BE ACCEPTED AT THE CITY TRANSFER STATION ON SOUTH ST.

HE ANNOUNCED THAT THIS WEEK THE CITY WILL CELEBRATE HISTORIC PRESERVATION WEEK WITH A RECEPTION AND EXHIBITS. HE ANNOUNCED THE NORTH LANSING HERITAGE FESTIVAL AND THE MICHIGAN PARADES INTO THE 21 CENTURY PARADE.

COUNCILMEMBER BAUER ANNOUNCED THE CANCELLATION OF THIS WEEKS' MEETING OF THE INTERGOVERNMENTAL RELATIONS COMMITTEE, WHICH HAS BEEN RESCHEDULED TO NEXT THURSDAY.

► SPECIAL CEREMONIES:

A. MAYOR HOLLISTER PRESENTED A PROCLAMATION DECLARING MAY 4, 1997 THROUGH MAY 10, 1997, NATIONAL DRINKING WATER WEEK.

B. MAYOR HOLLISTER PRESENTED A PROCLAMATION DECLARING MAY 18-24, 1997, AS LANSING HISTORIC PRESERVATION WEEK TO STEPHANIE WHITBECK OF THE HISTORIC DISTRICT COMMISSION.

MRS. WHITBECK THANKED MAYOR HOLLISTER, CITY COUNCILMEMBERS AND CITY STAFFMEMBERS. SHE COMMENDED THE CHANGE IN ATTITUDE THAT MORE AND MORE PEOPLE ARE SHOWING TOWARDS HISTORIC PRESERVATION. MORE AND MORE PEOPLE ARE FOCUSING ON HOW BEAUTIFUL LANSING CAN BE. SHE HAS SEEN THE SAME TYPES OF HISTORIC PRESERVATION OF NEIGHBORHOODS AS SHE SAW IN THE PRESERVATION OF THE STATE CAPITAL BUILDING. SHE THANKED THE CITY FOR FUNDING THE HISTORIC PRESERVATION PLANNER'S POSITION IN THE PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC HEARINGS:

1. FOURTH AMENDED DEVELOPMENT PLAN AND FOURTH AMENDED TAX INCREMENT FINANCING PLAN OF THE TAX

INCREMENT FINANCE AUTHORITY OF THE CITY OF LANSING AND THE PROPOSED ISSUANCE OF BONDS

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE USUALLY KNOWS WHAT HE'S TALKING ABOUT, BUT HE CANNOT CLAIM TO KNOW WHAT THIS PROPOSAL IS ABOUT. AFTER READING THE MATERIAL AVAILABLE IN THE BLACK BOOK, HE CANNOT SUPPORT THIS PROPOSAL, BECAUSE THERE IS NOT ENOUGH INFORMATION AVAILABLE TO ALLOW HIM TO MAKE AN INFORMED DECISION.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS  
2. Z-1-97, 621 AND 623 E. MICHIGAN AVENUE REZONING FROM "H" LIGHT INDUSTRIAL TO "G-1" BUSINESS DISTRICT TO ALLOW FOR THE REHABILITATION OF THE BUILDING WITHOUT THE REQUIREMENT OF ON-SITE PARKING

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. Z-2-97, 519 N. CHESTNUT, REZONING FROM "C" RESIDENTIAL AND "DM-4" RESIDENTIAL DISTRICT TO "D-1" PROFESSIONAL OFFICE DISTRICT TO CONTINUE USING THE FIRST FLOOR AS A RESIDENTIAL UNIT AND THE SECOND FLOOR AS AN OFFICE

STEPHANIE WHITBECK OF 620 W. IONIA, SPEAKING ON BEHALF OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION, SAID THAT THEY ARE OPPOSED TO THIS REZONING. THIS REQUEST IS INCONSISTENT WITH THE MASTER PLAN AMENDMENT FOR THIS AREA. SHE REQUESTED THAT COUNCIL UPHOLD THE DECISION OF THE PLANNING COMMISSION TO DENY THIS REQUEST. SHE STATED THAT THERE ARE MANY OTHER RESIDENTS OF THIS AREA PRESENT TONIGHT TO PROTEST THIS REZONING.

AL KOCHKA OF 518 N. PINE SAID THAT HIS HOUSE IS DIRECTLY BEHIND THE SUBJECT PROPERTY. HE OPPOSES THIS PETITION. THEY ARE TRYING VERY HARD TO RETAIN RESIDENTIAL ZONING IN THIS AREA. HE ASKED COUNCIL TO STICK TO THE RIVERPOINT MASTER PLAN AND MAINTAIN THE STATUS-QUO.

SHARON KELLOGG OF 421 W. IONIA STATED HER OPPOSITION TO THIS REZONING. SHE WORKED ON THE MASTER PLAN FOR THIS AREA, AND IS AFRAID THAT IF THEY REZONE THIS PROPERTY, THE PROGRESS THAT HAS BEEN MADE IN THIS AREA SINCE THE 80'S WILL BE DESTROYED.

PAUL MARKS OF 333 N. WAVERLY IN EATON RAPIDS SAID THAT HE OWNS THE PROPERTY LOCATED RIGHT NEXT DOOR TO THE SUBJECT PROPERTY. HE OPPOSES THIS REZONING PETITION. THERE ARE 17 OFFICES FOR RENT IN THIS AREA. THIS PROPERTY OWNER HAS BEEN USING THIS PROPERTY AS OFFICE SPACE FOR TWO YEARS, EVERY SINCE HE BOUGHT IT. HE ONLY FILED THE REZONING PETITION WHEN A COMPLAINT WAS MADE AND VIOLATION CITATIONS WERE ISSUED. THIS OFFICE PLACES AN ADDITIONAL STRAIN ON THE PARKING SITUATION IN THIS AREA.

COUNCILMEMBER NOVAK ADVISED THE RESIDENTS WHO ATTENDED TONIGHT'S MEETING TO PROTEST THIS REZONING TO CONTACT ELEANOR LOVE, PLANNING MANAGER, FOR INFORMATION ON HOW TO FILE A VALID PROTEST PETITION. THE IMPACT OF A VALID PROTEST PETITION WOULD BE TO CHANGE THE NUMBER OF VOTES NEEDED TO ADOPT THE REZONING FROM 5 VOTES TO 6 VOTES.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. COMMENTED REGARDING THE PARKS AND RECREATION COMMUNITY BUILDING USE POLICY THAT IS ON TONIGHT'S AGENDA. GROUPS THAT HAVE BEEN SUPPORTING THE COMMUNITY CENTERS FOR YEARS SHOULD NOT HAVE TO SIGN A USE AGREEMENT TO CONTINUE TO USE ROOMS THAT THEY, THEMSELVES HAVE RENOVATED ON A VOLUNTEER BASIS. THIS POLICY IS NOT CLEAR TO THE STAFF MEMBERS OF THE CENTERS, NOR IS IT CLEAR TO THE STAFF IN HIGHER POSITIONS IN THE PARKS AND RECREATION DEPARTMENT.

LLOYD TEETS OF 116 E. ELM ST. ASKED FOR CLARIFICATION OF THE RESOLUTION AUTHORIZING THE CITY TO WITHDRAW FROM THE 1988 REGIONAL ECONOMIC AGREEMENT. REGIONALISM, HE SAID, MAY SOUND GOOD, BUT WHEN IT HAS NOT HELPED A COMMUNITY, THEY SHOULD CUT THEIR LOSSES AND GET OUT OF THE PROGRAM. HE STATED HIS OPPOSITION TO THE PARKS AND RECREATION BUILDING USE POLICY. THIS IS AN EFFORT BY THE PARKS AND RECREATION DEPARTMENT TO DO AN END-RUN AROUND COUNCIL POLICIES. IT IS NOT A CLEAR POLICY. THE FACT THAT GROUPS ARE MEETING IN THESE CENTERS AS COMMUNITY ACTIVISTS ORGANIZATIONS MEANS THAT THEY ARE ALREADY CONTRIBUTING TO THE CITY AND ARE USING THE CENTERS AS A PLACE TO CONDUCT THEIR BUSINESS, WHICH BENEFITS THE CITY.

KELLY PROPER OF 111 E. CAVANAUGH WELCOMED ARBOR DRUGS INTO HER NEIGHBORHOOD. HOWEVER, SHE SAID THAT SHE OPPOSES THE ADDITION OF INGRESS AND EGRESS FROM THEIR STORE ONTO CAVANAUGH STREET. SHE STATED HER BELIEF THAT BUSINESS AND COMMUNITY CAN BE UNIFIED IN LANSING.

DICK FISER OF 12100 S. CORK RD. IN MORRICE SPOKE IN SUPPORT OF SLU-01-97, 4900 CONTEC DR., THE SPECIAL LAND USE FOR SOCCER ZONE. HE CHARACTERIZED THIS ORGANIZATION AS A "REAL GOOD GROUP OF PEOPLE, DOING A WONDERFUL JOB".

**LEGISLATIVE MATTERS**

**RESOLUTIONS**

**RESOLUTION #215**

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF



## THE CITY OF LANSING

WHEREAS; THE CITY OF LANSING ENTERED INTO A REGIONAL ECONOMIC DEVELOPMENT AGREEMENT, DATED APRIL 15, 1988, BY AND BETWEEN CLINTON COUNTY, EATON COUNTY, INGHAM COUNTY, DELTA TOWNSHIP, MERIDIAN TOWNSHIP, CITY OF LANSING, CITY OF EAST LANSING, TRI-COUNTY EMPLOYMENT AND TRAINING PARTNERSHIP AND TRI-COUNTY REGIONAL PLANNING COMMISSION, IN ORDER TO ENCOURAGE ECONOMIC DEVELOPMENT WITHIN THE REGION AND THE JURISDICTIONAL BOUNDARIES OF THE PARTIES, AND;

WHEREAS; A NEW NON-PROFIT CORPORATION, KNOWN AS LANSING REGIONAL ECONOMIC DEVELOPMENT TEAM, INC., HAS BEEN FORMED TO ADDRESS AND PROMOTE ECONOMIC DEVELOPMENT WITHIN THE GREATER LANSING METROPOLITAN AREA, AND;

WHEREAS; IT WOULD BE IN THE BEST INTEREST OF THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE FOR THE CITY OF LANSING TO WITHDRAW FROM THE APRIL 15, 1988 REGIONAL ECONOMIC DEVELOPMENT AGREEMENT, AND IN LIEU THEREOF, TO BECOME A MEMBER OF THE LANSING REGIONAL ECONOMIC DEVELOPMENT TEAM, INC., AND;

WHEREAS; TO THE EXTENT THAT THE CITY OF LANSING IS ENTITLED TO A DISTRIBUTION OF ANY REMAINING MONIES UNDER THE APRIL 15, 1988 REGIONAL ECONOMIC DEVELOPMENT AGREEMENT, IT IS IN THE BEST INTEREST OF THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE THAT SUCH MONIES BE DISTRIBUTED TO THE LANSING REGIONAL ECONOMIC DEVELOPMENT TEAM, INC., TO BE USED FOR THE PURPOSE OF THAT CORPORATION.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF LANSING HEREBY WITHDRAWS FROM THE APRIL 15, 1988 REGIONAL ECONOMIC DEVELOPMENT AGREEMENT, EFFECTIVE OCTOBER 1, 1997, AND;

BE IT FURTHER RESOLVED THAT ALL ACTIONS FOR THE CITY OF LANSING TO BECOME A MEMBER OF THE LANSING REGIONAL ECONOMIC DEVELOPMENT TEAM, INC., EFFECTIVE JULY 1, 1997, SHALL HEREBY BE AUTHORIZED, AND ITS 1997-98 FISCAL YEAR MEMBERSHIP DUES TO THE LANSING REGIONAL ECONOMIC DEVELOPMENT TEAM, INC. SHALL BE PAID WHEN DUE, AND;

BE IT FURTHER RESOLVED THAT ANY DISTRIBUTION OF FUNDS DUE TO THE CITY OF LANSING UPON THE TERMINATION OF THE APRIL 15, 1988 REGIONAL ECONOMIC DEVELOPMENT AGREEMENT SHALL INSTEAD BE DISTRIBUTED TO THE LANSING REGIONAL ECONOMIC DEVELOPMENT TEAM, INC., IN ADDITION TO ANY MEMBERSHIP DUES FOR THE 1997-98 FISCAL YEAR, TO BE USED FOR THE PURPOSES OF THAT CORPORATION, AND;

BE IT FINALLY RESOLVED THAT ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INSOFAR AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION SHALL BE RESCINDED.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #216**  
 BY THE COMMITTEE ON  
 DEVELOPMENT AND PLANNING  
 RESOLVED BY THE CITY COUNCIL OF  
 THE CITY OF LANSING  
 SLU-01-97; 4900 CONTEC DRIVE  
 BUILDING ADDITION AND PARKING LOT IN FLOOD PLAIN

WHEREAS, MIKE GARRETT OF SOCCERZONE, INC. HAS REQUESTED A SPECIAL LAND USE PERMIT (SLU-1 -97) TO BUILD AN ADDITIONAL 1 00 FEET ONTO THE REAR (EAST SIDE) OF THE EXISTING BUILDING AND CONSTRUCT A NEW PARKING LOT IN THE 100 YEAR FLOOD PLAIN OF THE SYCAMORE CREEK, AND;

WHEREAS, THE PLANNING BOARD FOUND THAT THE IMPACT OF THE PROPOSED ADDITION AND PARKING LOT IS NEGLIGIBLE SINCE THE ADDITION WILL BE ELEVATED ABOVE THE FLOOD PLAIN LEVEL AND HAS RECEIVED THE APPROVAL OF THE STATE OF MICHIGAN, DEPARTMENT OF ENVIRONMENTAL QUALITY; AND;

WHEREAS, THE PROPERTY IS ZONED "H" LIGHT INDUSTRIAL WHICH ALLOWS THE PROPOSED USE SECTION 1288.06(A) OF THE ZONING CODE, HOWEVER, REQUIRES THE APPROVAL OF THE CITY COUNCIL OF ANY DEVELOPMENT OF LAND OVER A HALF ACRE IN SIZE IN THE 100 YEAR FLOOD PLAIN, AND;

WHEREAS, THE BOARD FOUND, BASED ON TESTIMONY AND EVIDENCE THAT THE IMPACT OF THE PROPOSED ADDITION AND PARKING LOT IS NEGLIGIBLE SINCE THE ADDITION WILL BE ELEVATED ABOVE THE FLOOD PLAIN LEVEL AND HAS RECEIVED THE APPROVAL OF THE STATE OF MICHIGAN, DEPARTMENT OF ENVIRONMENTAL QUALITY; AND

WHEREAS, THE PLANNING BOARD IS NOT REQUIRED TO HOLD A PUBLIC HEARING ON THIS MATTER, BUT, BUT REVIEWED THIS PROPOSAL IN ACCORDANCE WITH CHAPTER 1288 OF THE ZONING CODE AT THEIR APRIL 1, 1997 MEETING AND UNANIMOUSLY RECOMMENDED APPROVAL (6-0), AND;

WHEREAS, THE CITY COUNCIL IS NOT REQUIRED TO HOLD A PUBLIC HEARING ON THIS MATTER, AND;

WHEREAS, THE PHYSICAL DEVELOPMENT COMMITTEE OF CITY COUNCIL HAS REVIEWED THE REQUEST AND THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH.

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVE THE SPECIAL LAND USE REQUEST BY MIKE GARRETT OF SOCCERZONE, INC., TO DEVELOP A 1 00 FOOT ADDITION ONTO THE EAST SIDE OF THE BUILDING LOCATED AT 4900 CONTEC DRIVE; AND

BE IT FURTHER RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

1. PROPOSED FIXED MECHANICAL EQUIPMENT SHALL BE ELEVATED ABOVE THE 100 YEAR FLOODPLAIN.
2. FLOOD INSURANCE MAY BE REQUIRED.
3. APPROVAL IS SUBJECT TO THE REQUIREMENTS OF THE CITY ENGINEER, PUBLIC SERVICE DEPARTMENT, WHICH INCLUDES THE APPROVAL OF A SOIL EROSION PERMIT.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #217**

CITY PARKING LOT #2,

S.W. CORNER CAPITOL AVENUE & SHIAWASSEE ST.

AUTHORIZATION TO INITIATE ZONING AMENDMENT  
(REZONING)

BY COUNCIL MEMBER LILLY

WHEREAS, THE CITY OF LANSING IS CONSIDERING THE REDEVELOPMENT OF PARKING LOT #2 LOCATED AT THE SOUTH WEST CORNER OF CAPITOL AVENUE AND SHIAWASSEE STREET, MORE PARTICULARLY DESCRIBED AS:

LOTS 1, 2, 11, 12, ALSO NORTH 54 FEET OF LOTS  
3 & 10, BLOCK 84, ORIGINAL PLAT, CITY OF LANSING,  
INGHAM COUNTY, MICHIGAN,

AND;

WHEREAS, THE PROPERTY IS PRESENTLY ZONED "DM-4" RESIDENTIAL AND "E-1" APARTMENT SHOP DISTRICTS WHICH IS INCONSISTENT WITH THE ANTICIPATED PARKING GARAGE AND RESIDENTIAL DEVELOPMENT, AND;

WHEREAS, BASED UPON THE REDEVELOPMENT PROPOSAL UNDER CONSIDERATION, THE ADMINISTRATION HAS RECOMMENDED THAT THE PROPERTY BE REZONED TO "G-1" BUSINESS DISTRICT AND REQUESTS THAT THE COUNCIL AUTHORIZE THE INITIATION OF THE REZONING APPLICATION.

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL HEREBY AUTHORIZES THE ADMINISTRATION TO INITIATE THE REZONING OF CITY PARKING LOT #2 IN ORDER TO ACCOMMODATE THE PROPOSED REDEVELOPMENT OF THE PROPERTY FROM "DM-4" RESIDENTIAL AND "E-1" APARTMENT SHOP DISTRICTS TO "G-1" BUSINESS DISTRICT FOLLOWING THE PROCEDURES AS REQUIRED IN SECTION 1240.04 OF THE ZONING CODE.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #218**

BY COUNCILMEMBER RICK LILLY

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, COMPLETE DOCUMENTATION OF THE DETAILS OF

THE PROPOSED SALE OF AIR RIGHTS AND OTHER REAL PROPERTY INTEREST IN THE REAL PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE CAPITOL AVENUE AND SHIAWASSEE STREET INTERSECTION IN THE CITY OF LANSING, COMMONLY KNOWN AS THE "B-1 SITE", ARE ON FILE IN THE OFFICE OF THE CITY CLERK IN THE PROPOSED DOCUMENT ENTITLED AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND JONNA REALTY VENTURES, INC. REGARDING THE SALE OF THE SITE B-1;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, MAY 12, 1997 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON THE PROPOSED SALE OF THE REAL PROPERTY INTEREST LOCATED AT THE SOUTHWEST CORNER OF THE CAPITOL AVENUE AND SHIAWASSEE STREET INTERSECTION IN THE CITY OF LANSING, COMMONLY KNOWN AS THE "B-1 SITE", PURSUANT TO THE DOCUMENTS DETAILING THE SALE ON FILE WITH THE CITY CLERK.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #219**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE ADMINISTRATION PRESENTED COUNCIL WITH A PROPOSED CONSOLIDATED BUILDING USE POLICY (INCLUDING BUILDING USE FEE SCHEDULE) FOR SPECIFIC PARKS AND RECREATION DEPARTMENT LEISURE AND SPECIAL RECREATION DIVISION BUILDINGS; AND

WHEREAS, THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR HAVE REVIEWED THE DRAFT POLICY AND IN COOPERATION WITH THE PARKS AND RECREATION DEPARTMENT, RECOMMEND THE ADOPTION OF THE ATTACHED POLICY AS REVISED;

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL ADOPTS THE ATTACHED POLICY WITH ASSOCIATED FEES FOR RESERVATION AND USE OF SPACE AT FOSTER, GIER, KINGSLEY AND SOUTH SIDE COMMUNITY CENTERS, MILLER ROAD SENIOR CENTER, FENNER NATURE CENTER. THE SCOTT HOUSE AND THE TURNER-DODGE HOUSE.

BE IT FURTHER RESOLVED THE BUILDING USE FEES SHALL BE PLACED IN A RESERVE ACCOUNT FOR THE SOLE PURPOSE OF REPLACING FURNISHINGS AND EQUIPMENT IN THE BUILDINGS COVERED BY THIS POLICY.

BE IT FINALLY RESOLVED ALL PREVIOUS USE AND FEE POLICIES ASSOCIATED WITH THESE FACILITIES ESTABLISHED BY RESOLUTION OR RULES WHICH ARE INCONSISTENT WITH THIS RESOLUTION ARE HEREBY RESCINDED.

BY COUNCILMEMBER JONES

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER NOVAK TO AMEND THE POLICY ON PAGE 5, IN THE SECOND PARAGRAPH TO ADD "WITH PREFERENCE PROVIDED TO LANSING RESIDENTS", SO THAT THE PARAGRAPH READS AS FOLLOWS:

"THE FACILITY REQUEST FORM WILL BE REVIEWED AND PROCESSED ON A FIRST-COME FIRST-SERVED BASIS WITH PREFERENCE PROVIDED TO LANSING RESIDENT. ALL GROUPS WILL RECEIVE NOTIFICATION OF THEIR ASSIGNMENT NO LATER THAN THE FIRST FRIDAY IN SEPTEMBER. ALL REQUESTS RECEIVED AFTER THIS OPEN RESERVATION PERIOD WILL BE CONSIDERED ON A FIRST-COME FIRST-SERVED BASIS, BUT NOT MORE THAN THREE (3) MONTHS OR LESS THAN TEN (10) CALENDAR DAYS IN ADVANCE OF THE REQUESTED DATE."

AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED.

CARRIED UNANIMOUSLY

LANSING PARKS AND RECREATION DEPARTMENT  
LEISURE SERVICES DIVISION  
BUILDING USE POLICY

MISSION STATEMENT

THE MISSION OF THE LANSING DEPARTMENT OF PARKS AND RECREATION IS TO ENHANCE THE QUALITY OF LIFE THROUGH THE PRESERVATION AND MAINTENANCE OF PARK LANDS, TO PROVIDE QUALITY LEISURE TIME ACTIVITIES, AND TO PROVIDE SPECIAL FACILITIES WHICH WOULD OTHERWISE NOT BE AVAILABLE TO LANSING RESIDENTS.

SECTION ONE - SCOPE OF THE POLICY

THE BUILDING USE POLICY ESTABLISHES GUIDELINES TO ASSIST THE STAFF OF THE LANSING PARKS AND RECREATION DEPARTMENT IN ITS DECISION MAKING PROCESS WHEN A GROUP REQUESTS THE USE OF A COMMUNITY BUILDING. THE BUILDING USE POLICY HAS BEEN DEVELOPED TO:

- ENHANCE AND PROMOTE THE MISSION OF THE DEPARTMENT.
- DEVELOP A CONSISTENT SET OF BUILDING USE PROCEDURES FOR FOSTER, GIER, KINGSLEY AND SOUTH SIDE COMMUNITY CENTERS, MILLER ROAD SENIOR CENTER, FENNER NATURE CENTER, THE SCOTT HOUSE AND THE TURNER-DODGE HOUSE.
- ESTABLISH PROCEDURES AND A DEPOSIT/FEE SCHEDULE.

SECTION TWO - GENERAL RESERVATION PROCEDURES

1. RESERVATIONS WILL BE TAKEN FOR TIMES THE FACILITIES ARE NOT BEING UTILIZED BY THE CITY OF LANSING AND SPECIFICALLY THE DEPARTMENT OF PARKS AND RECREATION.

2. RESERVATION REQUESTS WILL BE ACCEPTED FROM THE GENERAL PUBLIC ON A FIRST-COME FIRST-SERVED BASIS BUT

NOT MORE THAN SIX (6) MONTHS OR LESS THAN TEN (10) CALENDAR DAYS IN ADVANCE OF THE REQUESTED DATE, EXCEPT THAT GROUPS WHO DESIRE TO ESTABLISH A MEETING/COMMUNITY ROOM RESERVATION SCHEDULE COMMENCING OCTOBER OF ANY YEAR THROUGH SEPTEMBER OF THE FOLLOWING YEAR SHALL FOLLOW THE RESERVATION PROCEDURE OUTLINED IN SECTION FOUR - ANNUAL MEETING/COMMUNITY ROOM RESERVATIONS.

3. RESERVATIONS ARE NOT BE MADE FOR USES THAT ARE IN DIRECT COMPETITION WITH PROGRAMS BEING CONDUCTED BY THE PARKS AND RECREATION DEPARTMENT OR ITS AGENTS.

4. A FACILITY USE REQUEST FORM MUST BE COMPLETED (BOTH SIDES) AND SIGNED BY A RESPONSIBLE AGENT, WHO IS AT LEAST 21 YEARS OLD, REPRESENTING THE GROUP AND RECEIVED BY THE PARKS AND RECREATION DEPARTMENT FOR THE RESERVATION REQUEST TO BE CONSIDERED.

5. MEETING ROOMS AND COMMUNITY ROOMS SHALL BE FREE TO LANSING RESIDENTS, EXCEPT THOSE USES INVOLVING REVENUE GENERATING ACTIVITIES AND/OR THE SOLICITATION OF DONATIONS OR THOSE USES THAT EXTEND BEYOND THE SCHEDULED BUILDING HOURS. OTHER FEES AND CHARGES SHALL BE APPLICABLE TO ALL USERS.

6. IF THE ESTIMATED FEE IS MORE THAN \$100.00, A DEPOSIT EQUAL TO FIFTY PERCENT (50%) OF THE ESTIMATED FEE MUST BE PAID AND RECEIVED WITHIN TEN (10) CALENDAR DAYS OF CONFIRMATION OF THE RESERVATION; IF THE ESTIMATED FEE IS \$100.00 OR LESS, IT MUST BE PAID AND RECEIVED IN FULL. THE BALANCE OF THE ESTIMATED FEE MUST BE PAID AND RECEIVED MORE THAN TEN (10) CALENDAR DAYS PRIOR TO THE RESERVATION DATE. IF FULL PAYMENT IS NOT RECEIVED WITHIN THIS TIME, THE RESERVATION WILL BE CANCELED WITHOUT FURTHER NOTICE. IN ADDITION TO THE ESTIMATED FEE, THE GROUP SHALL PAY WITHIN 30 DAYS OF BILLING, ALL CHARGES IMPOSED FOR REMAINING BEYOND THE SCHEDULED RESERVATION PERIOD OR FOR REQUIRING SPECIAL CLEANUP.

7. A RESERVATION MAY BE CONFIRMED BUT SHALL NOT BE CONSIDERED FINAL UNTIL THE APPLICABLE DEPOSITS/FEES ARE PAID, INSURANCE IS FILED AND A RESERVATION PERMIT IS ISSUED BY AN AUTHORIZED REPRESENTATIVE OF THE PARKS AND RECREATION DEPARTMENT.

8. RESERVATIONS TO GROUPS OF MINORS MUST BE MADE BY A RESPONSIBLE ADULT AND A SUFFICIENT NUMBER OF ADULTS MUST BE PRESENT DURING THE RESERVATION PERIOD TO ASSURE PROPER SUPERVISION AND ORDERLY CONDUCT OF THE GROUP.

9. THE PERSON APPLYING FOR THE RESERVATION SHALL BE HELD RESPONSIBLE FOR THE CONDUCT OF THE GROUP, BE JOINTLY AND SEVERALLY RESPONSIBLE FOR ALL FEES AND CHARGES, BE LIABLE FOR ANY DAMAGES TO THE FACILITY OR ITS ENVIRONS CAUSED BY ANY MEMBER OF THE GROUP OR OTHER PERSON IN ATTENDANCE AND SHALL SEE THAT THE BUILDING(S) AND SURROUNDING GROUNDS ARE LEFT IN A

NEAT, CLEAN AND ORDERLY CONDITION.

10. RESERVATIONS WILL BE ACCEPTED ON THE CONDITION THAT THE RESERVATION AND FACILITIES USE ARE SUBJECT TO SUBSEQUENT CHANGES IN FEES, ORDINANCES, AND REGULATIONS.

11. IN THE EVENT OF CANCELLATION BY THE GROUP, MONEY PAID FOR RESERVATIONS WILL BE REFUNDED (LESS \$10.00 SERVICE FEE) IF THE CANCELLATION IS MADE IN WRITING AND RECEIVED THIRTY (30) DAYS PRIOR TO THE RESERVATION DATE. CHANGING DATE OR LOCATION OF A RESERVATION IS CONSIDERED CANCELLATION, AND THE REFUND POLICY WILL APPLY. [EXCEPTION: IF THE CANCELED TIME IS RESERVED AND PAID FOR BY ANOTHER GROUP, A REFUND (LESS \$10.00 SERVICE FEE) CAN BE MADE UPON REQUEST.] IF THE FACILITY IS CLOSED DUE TO ADVERSE WEATHER CONDITIONS, A FULL REFUND SHALL BE GRANTED OR AN ATTEMPT WILL BE MADE TO ACCOMMODATE ANOTHER DATE.

12. CHECKS SHOULD BE MADE PAYABLE TO "LANSING PARKS AND RECREATION DEPARTMENT" FOR PAYMENT OF RESERVATIONS. NOTE ON CHECK THE DATE, TIME AND PLACE OF THE RESERVATION!

13. THE FACILITY WILL NOT BE AVAILABLE UNTIL THE STARTING TIME SHOWN ON THE RESERVATION PERMIT.

14. UPON REQUEST, THE PARKS AND RECREATION DEPARTMENT MAY, IN ITS SOLE DISCRETION, GRANT PERMISSION TO WAIVE PROVISIONS FOR RESERVATIONS OR ANY OF THE GENERAL USE RULES. TO BE VALID, ANY SUCH GRANT OF PERMISSION OR WAIVER MUST BE IN WRITING AND SO NOTED ON THE RESERVATION PERMIT. ANY VERBAL PERMISSION OR WAIVER IS INVALID.

15. IF THERE IS A PROBLEM WITH THE ROOM(S) ON THE DAY OF RESERVATION, IT IS THE RESPONSIBILITY OF THE GROUP REPRESENTATIVE TO NOTIFY THE BUILDING SUPERVISOR.

16. RESERVATION REQUEST FORMS ARE TO BE SUBMITTED TO THE BUILDING SUPERVISOR AT THE LOCATION INDICATED BELOW: (EXCEPTION: ANNUAL RESERVATIONS ARE TO BE SUBMITTED TO THE MANAGER OF LEISURE AND SPECIAL RECREATION SERVICES AS OUTLINED IN SECTION FOUR OF THIS PROCEDURE.)

FENNER NATURE CTR  
2020 E. MOUNT HOPE  
LANSING, MI 48910  
483-4224

SCOTT HOUSE  
125 W. MAIN ST  
SUBMIT REQUESTS TO  
CITY HALL 4TH FLOOR

FOSTER COMMUNITY CTR  
200 N. FOSTER STREET  
LANSING, MI 48912  
483-4233

TURNER-DODGE HOUSE  
100 E. NORTH STREET  
LANSING, MI 48906  
483-4220

GIER COMMUNITY CTR  
2400 HALL STREET

SOUTH SIDE COMMUNITY  
CENTER\*

LANSING, MI 48906  
483-4313

KINGSLEY COMMUNITY CTR  
1220 W. KALAMAZOO  
LANSING, MI 48915  
483-4311

MILLER RD SENIOR CTR  
6025 CURRY LANE  
LANSING, MI 48911  
394-5421

SUBMIT REQUESTS TO:  
GIER COMMUNITY CENTER

\*(ADDRESS AND PHONE NUMBER NOT YET ASSIGNED. IN THE INTERIM REQUESTS WILL BE PROCESSED AT GIER COMMUNITY CENTER.)

### SECTION THREE - INSURANCE

DEPENDING UPON THE NATURE OF THE RESERVATION, GROUPS MAY BE REQUIRED TO SUPPLY INSURANCE TO COVER LIABILITIES PRESENTED DURING THE USAGE IF ANY OF THE FOLLOWING CONDITIONS EXIST:

- FOOD OR BEVERAGES ARE BEING SERVED. NOTE: IF ALCOHOLIC BEVERAGE IS TO BE SERVED, CHAPTER 608 OF THE LANSING CITY CODE OUTLINES ORDINANCES PERTAINING TO THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PARK LAND. GROUPS WISHING TO SELL OR CONSUME ALCOHOLIC BEVERAGES WILL BE REQUIRED TO SEEK AND HAVE IN PLACE SPECIAL STATE LICENSING, ALL INSURANCE AND MAYORAL APPROVAL, IF REQUIRED, PRIOR TO THE ISSUANCE OF A DEPARTMENT PERMIT.
- FUND RAISING VENTURES INVOLVING CITY FACILITIES/PARK LAND.
- OTHER CONDITIONS DEEMED APPROPRIATE BY THE CITY.

THE GROUP SHALL FILE WITH THE CITY PROOF OF A PUBLIC LIABILITY AND STANDARD PROPERTY DAMAGE INSURANCE POLICY A MINIMUM OF TEN (10) DAYS PRIOR TO THE RESERVATION DATE. SUCH POLICY SHALL BE PROVIDED AT THE GROUP'S EXPENSE AND INSURE THE GROUP AND NAME THE CITY OF LANSING AS AN ADDITIONAL INSURED AGAINST SUCH LIABILITY IMPOSED ON SUCH GROUP AND/OR THE CITY OF LANSING ARISING FROM INJURY OR DAMAGE. SUCH POLICY SHALL PROVIDE FOR NO LESS THAN THE PAYMENT OF UP TO THE DENOTED AMOUNT IN THE EVENT OF INJURY TO OR DEATH OF ONE OR MORE PERSONS; FOR ALL DAMAGES ARISING OUT OF INJURY TO OR DESTRUCTION OF PROPERTY IN ANY ONE OCCURRENCE DUE TO ACTS OR OMISSIONS OF THE GROUP OR ITS MEMBERS. POLICY LIMITS SHALL BE SET IN CONSULTATION WITH THE CITY ATTORNEY'S OFFICE.

THE POLICY OF INSURANCE SHALL BE WRITTEN BY AN INSURANCE COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF MICHIGAN. A CERTIFICATE OF THE INSURANCE SHALL BE FILED WITH THE CLERK OF THE CITY OF LANSING, SUBJECT TO PRIOR REVIEW AND APPROVAL AS TO FORM ONLY BY THE LANSING CITY ATTORNEY. THE CERTIFICATE SHALL HAVE ENDORSED THEREON THE CITY OF LANSING AS ADDITIONAL INSURED. ALL INSURANCE AND CERTIFICATES

SHALL INCLUDE AN ENDORSEMENT PROVIDING FOR NOT LESS THAN THIRTY (30) DAYS PRIOR WRITTEN NOTICE TO THE CITY CLERK OF TERMINATION, EXPIRATION OR MATERIAL CHANGE OF TERMS OF THE INSURANCE.

#### SECTION FOUR - ANNUAL MEETING/COMMUNITY ROOM RESERVATIONS

FOR GROUPS WHO DESIRE THE USE OF THE FACILITIES COVERED BY THIS POLICY ON AN ANNUAL BASIS AND WHO WANT A CONSISTENT DATE, TIME, FACILITY AND POSSIBLY A PARTICULAR FACILITY'S ROOM, THE FOLLOWING PROCEDURE SHALL APPLY.

FACILITY REQUEST FORMS WILL BE ACCEPTED DURING THE FIRST TEN (10) CALENDAR DAYS IN AUGUST FOR THE PERIOD OF OCTOBER OF THAT YEAR THROUGH SEPTEMBER OF THE FOLLOWING YEAR. FACILITY REQUEST FORMS MAY BE PRESENTED IN PERSON OR SUBMITTED TO THE DEPARTMENT OF PARKS AND RECREATION, ATTENTION MANAGER OF LEISURE AND SPECIAL RECREATION SERVICES, 4TH FLOOR CITY HALL, 124 W. MICHIGAN AVENUE, LANSING, MI 48933-1688.

THE FACILITY REQUEST FORM WILL BE REVIEWED AND PROCESSED ON A FIRST-COME FIRST-SERVED BASIS "WITH PREFERENCE PROVIDED TO LANSING RESIDENTS". ALL GROUPS WILL RECEIVE NOTIFICATION OF THEIR ASSIGNMENT NO LATER THAN THE FIRST FRIDAY IN SEPTEMBER. ALL REQUESTS RECEIVED AFTER THIS OPEN RESERVATION PERIOD WILL BE CONSIDERED ON A FIRST-COME FIRST-SERVED BASIS BUT NOT MORE THAN THREE (3) MONTHS OR LESS THAN TEN (10) CALENDAR DAYS IN ADVANCE OF THE REQUESTED DATE.

TO ACCOMMODATE PARKS AND RECREATION DEPARTMENT PROGRAMS, ALL ASSIGNMENTS WILL BE REVIEWED ON A QUARTERLY BASIS. IF THE NEED ARISES FOR A ROOM CHANGE, THE GROUP WILL BE NOTIFIED AT LEAST TWENTY-ONE (21) CALENDAR DAYS IN ADVANCE AND ALTERNATIVE ARRANGEMENTS WILL BE MADE.

#### SECTION FIVE - FEES

MEETING ROOMS AND COMMUNITY ROOMS SHALL BE FREE TO LANSING RESIDENTS, EXCEPT THOSE USES INVOLVING REVENUE GENERATING ACTIVITIES AND/OR THE SOLICITATION OF DONATIONS OR THOSE USES THAT EXTEND BEYOND THE SCHEDULED BUILDING HOURS. OTHER FEES AND CHARGES SHALL BE APPLICABLE TO ALL USERS.

#### A) GIER, FOSTER, KINGSLEY AND SOUTH SIDE COMMUNITY CENTERS AND MILLER ROAD SENIOR CENTER

##### ROOM USAGE RATES: DURING NORMAL BUILDING HOURS

MEETING ROOMS (SEATING CAPACITY-50 PEOPLE)  
..... \$10.00 PER HOUR 1 HOUR MINIMUM

COMMUNITY ROOM (SEATING CAPACITY-100 PEOPLE)  
..... \$15.00 PER HOUR 1 HOUR MINIMUM

GAMESROOM (ROOM CAPACITY-75 PEOPLE)  
..... \$15.00 PER HOUR 1 HOUR MINIMUM

##### GYMNASIUM

BASKETBALL, VOLLEYBALL, AND OTHER ATHLETIC-ORIENTED ACTIVITY (MAXIMUM OF 20 PLAYERS PER ROOM USAGE)

##### FULL COURT:

GIER, KINGSLEY, SOUTH SIDE \$15.00 PER HOUR

FOSTER ..... \$10.00 PER HOUR

##### HALF COURT

GIER AND SOUTH SIDE ONLY . . . \$ 8.00 PER HOUR

FUNCTIONS OTHER THAN ATHLETIC EVENTS SUCH AS LARGER MEETINGS OR BANQUETS

..... \$25.00 PER HOUR 2 HOUR MINIMUM

WARMING KITCHEN ..... \$25.00 FLAT FEE

CLEANUP FEE - FOR USES THAT WILL INVOLVE EXTRA CLEANUP ..... \$30.00 FLAT FEE

##### EQUIPMENT CHARGES

(TV/VCR, PODIUM, SCREEN, ETC.) . . . \$ 5.00 PER ITEM

#### B) FENNER NATURE CENTER

##### ROOM USAGE RATES: DURING NORMAL BUILDING HOURS

LIBRARY MEETING ROOM (SEATING CAPACITY-25)  
..... \$10.00 PER HOUR 1 HOUR MINIMUM

LOWER LEVEL MEETING ROOM (SEATING CAPACITY-70)  
..... \$15.00 PER HOUR 1 HOUR MINIMUM

EQUIPMENT CHARGES (TV/VCR, PODIUM, SCREEN, ETC.)  
..... \$ 5.00 PER ITEM

##### ROOM USAGE RATES: BEYOND NORMAL BUILDING HOURS

LIBRARY MEETING ROOM (SEATING CAPACITY-25)  
..... \$50.00 PER HOUR 2 HOUR MINIMUM

LOWER LEVEL MEETING ROOM (SEATING CAPACITY-70)  
..... \$60.00 PER HOUR 2 HOUR MINIMUM

EQUIPMENT CHARGES (TV/VCR, PODIUM, SCREEN, ETC.)  
..... \$ 5.00 PER ITEM

##### ADDITIONAL CHARGES

CLEANUP FEE - FOR USES THAT WILL INVOLVE EXTRA CLEANUP ..... \$30.00 FLAT FEE

#### C) SCOTT HOUSE

NOT-FOR-PROFIT GROUPS MAY BE ISSUED A KEY AND SECURITY PASS TO THE SCOTT HOUSE. IF CITY STAFF ARE CALLED TO OPEN OR CLOSE THE SCOTT HOUSE OR RE-SET THE SECURITY SYSTEM, THE GROUP SHALL BE BILLED \$100.00 PER INSTANCE. NON-PAYMENT SHALL BE REASON TO CANCEL FURTHER ACCESS TO THE SCOTT HOUSE.

ROOM USAGE RATES: DURING CITY OF LANSING BUSINESS HOURS MEETING ROOMS (SEATING CAPACITY-20 PEOPLE)  
..... \$15.00 PER HOUR 1 HOUR MINIMUM

ROOM USAGE RATES: BEYOND CITY OF LANSING BUSINESS HOURS MEETING ROOMS (SEATING CAPACITY-20 PEOPLE)  
..... \$50.00 PER HOUR 2 HOURS MINIMUM

ADDITIONAL CHARGES

CLEANUP FEE - FOR USES THAT WILL INVOLVE EXTRA CLEANUP ..... \$30.00 PER HOUR

D) TURNER-DODGE HOUSE

ADDITIONAL SECURITY DEPOSIT:

THE TURNER-DODGE HOUSE IS A NATIONALLY DESIGNATED, HISTORIC HOME CONTAINING MANY NON-REPLACEABLE TREASURES. AS AN ADDED MEASURE TO PROTECT THE HOUSE, A SECURITY DEPOSIT OF \$1,000.00 WILL BE REQUIRED FOR THOSE ROOM USAGES OCCUPYING THE ENTIRE HOME. THE SECURITY DEPOSIT MUST BE PAID NOT LESS THAN TEN (10) CALENDAR DAYS PRIOR TO THE RESERVATION DATE. AT THE CONCLUSION OF THE ROOM USAGE, ANY DAMAGES TO THE HOME WILL BE DEDUCTED FROM THE DEPOSITS OR BILLED IF BEYOND THE \$1,000.00 DEPOSIT.

ROOM USAGE RATES

FIRST FLOOR ONLY (INCLUDES DINING ROOM, WARMING KITCHEN AND PARLOR)  
..... \$ 75.00 PER HOUR  
2 HOUR MINIMUM

ENTIRE HOUSE FOR WEDDINGS & SPECIAL EVENTS  
(INCLUDES ALL THREE FLOORS)  
..... \$115.00 PER HOUR  
3 HOUR MINIMUM 8 HOUR MAXIMUM

EQUIPMENT CHARGES

(TV/VCR, PODIUM, SCREEN, ETC.)  
..... \$ 5.00 PER ITEM

ADDITIONAL CHARGES

CLEANUP FEE - FOR USES THAT WILL INVOLVE EXTRA CLEANUP ..... \$ 30.00 PER HOUR

FACILITY USE REQUEST FORM  
ORGANIZATION/GROUP DESCRIPTION

*INSTRUCTIONS: PLEASE ANSWER THE FOLLOWING QUESTIONS AS COMPLETELY AS POSSIBLE. THIS INFORMATION WILL BE USED TO DETERMINE THE PRIORITY STATUS OF YOUR ORGANIZATION/GROUP.*

1. BRIEFLY DESCRIBE THE PURPOSE OF YOUR ORGANIZATION/GROUP.

2. HOW DOES ONE BECOME A MEMBER OF YOUR ORGANIZATION/GROUP?

3. ARE THERE MEMBERSHIP DUES? IF YES, PLEASE

INCLUDE THE AMOUNT CHARGED AND LENGTH OF MEMBERSHIP.

4. WHAT PROPORTION OF YOUR MEMBERSHIP LIVE WITHIN THE CITY LIMITS?

5. HOW IS YOUR ORGANIZATION/GROUP FUNDED?

6. DOES YOUR ORGANIZATION/GROUP SPONSOR FUND-RAISING PROJECTS? IF YES, PLEASE EXPLAIN THE AMOUNT OF MONEY RAISED AND HOW IT IS DISPERSED.

Location Requested: PARKS AND RECREATION DEPARTMENT FACILITY USE REQUEST FORM		CITY OF LANSING PARKS AND RECREATION DEPARTMENT FACILITY USE REQUEST FORM		For Office Use Only: Date Rec'd: Priority #:	
Name of Requesting Organization: _____					
Address _____ City _____ State _____ Zip code _____ Telephone _____					
Name of Responsible Agent: _____					
Address _____ City _____ State _____ Zip code _____ Telephone _____					
Is the requesting organization a non-profit organization? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Is the event open to the public? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Does the use involve fund raising or revenue generating activities? Will donations be solicited? <input type="checkbox"/> Yes <input type="checkbox"/> No					
If Yes, please explain: _____					
Preferred Location: _____ Alternate: _____					
Preferred Room: _____ Alternate: _____					
Event Title and Description: _____					
What is the time(s) and date(s) of event: _____					
Number of People: _____ Number of Tables: _____ Number of Chairs: _____					
Room Setup and Special Equipment Needed: _____					
Turner-Dodge House & Scott House Only: Is alcohol requested to be served? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what type of alcohol? <input type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Champagne					

(Please Complete Back Of Form)

I, \_\_\_\_\_ agree to be responsible for the conduct of our group and for damages to the facility I am using. I also agree to arrange any set-ups with the facility staff and to notify the facility staff of any significant change in the program format within 10 working days of the scheduled activity. I also agree to leave the building in the condition it was found. I understand that failure to meet any of these obligations may result in cancellation of our reservations and future facility use privileges.

Signature of Representative

For Department Use Only  
Estimated Charges

Security Deposit: \$ _____	Room Usage Fee: \$ _____
Amount of Deposit: \$ _____	Equipment: \$ _____
Deposit Paid: \$ _____	Other Charges: \$ _____
Balance: \$ _____	Total Charges: \$ _____
Balance Due Date: _____	
Receipt #: _____	
Staff Person: _____	Date: _____

**RESOLUTION #220**  
BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED, JOAN TREZISE, 3635 COLCHESTER ROAD, TO THE CAPITAL AREA DISTRICT LIBRARY BOARD, FOR A TERM TO EXPIRE APRIL 15, 1998; AND

WHEREAS, THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF JOAN TREZISE TO THE CAPITAL AREA DISTRICT LIBRARY BOARD, FOR A TERM TO EXPIRE APRIL 15, 1998.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

## ORDINANCES FOR INTRODUCTION

### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-06-97, 810 W. SAGINAW ST., "D-1" PROFESSIONAL OFFICE TO "F" COMMERCIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #221

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR TUESDAY, MAY 27, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-06-97, 810 W. SAGINAW ST., "D-1" PROFESSIONAL OFFICE TO "F" COMMERCIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-05-97, 411 AND 415 E. CAVANAUGH ROAD, "A" RESIDENTIAL TO "F" COMMERCIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #222

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT A PUBLIC HEARING BE SET FOR TUESDAY, MAY 27, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-05-97, 411 AND 415 E. CAVANAUGH ROAD, "A" RESIDENTIAL TO "F" COMMERCIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-07-97, 315 E. JOLLY ROAD, "F" COMMERCIAL, "G-2" WHOLESALE AND "J" PARKING TO "F" COMMERCIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #223

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR TUESDAY, MAY 27, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-07-97, 315 E. JOLLY ROAD, "F" COMMERCIAL, "G-2" WHOLESALE AND "J" PARKING TO "F" COMMERCIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

## OTHER BUSINESS

### ► PUBLIC COMMENT ON CITY RELATED MATTERS:

KIRK KUNKLEMAN 324 S. HAYFORD SPOKE IN SUPPORT OF THE CREATION OF A CITIZENS REVIEW BOARD. HE COMMENDED COUNCIL AND THE ADMINISTRATION FOR BRINGING THE DIAMOND CLASSIC TO OLDSMOBILE PARK.

HAROLD KING OF 1563 N. HIGH ST. CRITICIZED REMARKS MADE BY CERTAIN COUNCILMEMBERS AT RECENT NEIGHBORHOOD MEETINGS REGARDING THE ABSENCE OF THE

COMMUNITY POLICING OFFICERS. THE RESIDENTS REALIZE THAT THE OFFICERS WERE NOT AT THE MEETING BECAUSE THEY WERE WORKING. HE STATED HIS DISAPPROVAL FOR THE PROPOSAL FOR RENOVATION AT BANCROFT PARK THAT WILL BE FACILITATED BY THE INGHAM COUNTY DRAIN COMMISSIONER.

MELANIE ROGERS OF 409 W. WILLOW SAID THAT SHE AND HER HUSBAND WOULD HAVE COMPLETED THE SIDING ON THE WEST SIDE OF THEIR HOUSE, BUT THEY RAN OUT OF J-CHANNEL. SHE COMPLAINED ABOUT DAMAGE INFLICTED ON THEIR RENTAL PROPERTY NEXT DOOR BY THE TENANTS, AND SUGGESTED THAT COUNCIL ADOPT SOME TYPE OF LEGISLATION TO FINE RENTERS IN THIS SITUATION.

ALEXANDER BOLT OF 1230 REO RD. STATED HIS SUPPORT FOR THE MARCH FOR JUSTICES' DEMAND FOR CREATION OF A CITIZENS REVIEW BOARD. HE STATED THAT HE TOOK A CLASS ON CRIMINAL PSYCHOLOGY AT MSU LAST YEAR, AND DISTRIBUTED COPIES OF STUDIES USED IN THE CLASS.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SAID THAT MAYOR HOLLISTER DOESN'T CARE ABOUT CITIZENS. THERE IS A PROBLEM AT THE POLICE DEPARTMENT, AND HE WILL NOT ADDRESS IT. THEREFORE, CITY COUNCIL NEEDS TO ADDRESS THE PROBLEM AND FORCE THE MAYOR TO ACT ON THEIR RECOMMENDATIONS FOR A CITIZENS REVIEW BOARD. HE ASKED COUNCILMEMBERS TO PUT THIS ISSUE ON THE BALLOT AND LET THE VOTERS DECIDE IT. HE SUGGESTED THAT COUNCILMEMBER NOVAK DO SOMETHING THAT HE CAN BE REMEMBERED FOR, SEEING AS HE IS ON HIS WAY OUT OF OFFICE.

REVEREND ANDREW BRODY OF 1114 GLENN ST. SAID THAT IF COUNCIL DOES NOT PLACE THE ISSUE OF A CITIZENS REVIEW BOARD ON THE BALLOT, THE PEOPLE WILL PUT IT ON THE BALLOT THROUGH THE INITIATIVE PETITION PROCESS.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE SAID THAT SHE IS HAVING PROBLEMS WITH ANOTHER FOIA (FREEDOM OF INFORMATION ACT) REQUEST THAT SHE MADE. SHE STATED THAT SHE DOES NOT MIND PLAYING BY THE RULES, AS LONG AS EVERYONE PLAYS BY THE SAME RULES. SHE STATED THAT SHE WILL SHOW HER STUBBORNNESS ON THE ISSUE OF THE NPDES HEARING. THIS HEARING DATE WILL BE CHANGED.

ALBERTA JORDAN, NO ADDRESS GIVEN, STATED HER SUPPORT FOR THE CREATION OF A CITIZENS REVIEW BOARD. THEY WILL CIRCULATE PETITIONS, IF NECESSARY. THEY WILL DO WHATEVER THEY HAVE TO DO TO ACHIEVE WHAT IS RIGHT. WE HAVE GOOD POLICE OFFICERS, AND WE HAVE BAD POLICE OFFICERS, AND THE MAYOR DOES NOT CARE. SHE URGED THE PUBLIC TO GET OUT AND VOTE. COUNCILMEMBERS SHOULD BE ASHAMED OF THEMSELVES FOR THE WAY THEY DISCOURAGE THE YOUTH OF THIS CITY.

FRANK CURTIS "X", NO ADDRESS GIVEN, ASKED WHERE ALL OF THE "WHITE PEOPLE" WERE AT LAST SATURDAY'S SECOND MARCH FOR JUSTICE. HE STATED THAT "WHITE PEOPLE TODAY ARE OUT OF THEIR MINDS AND NEED TO COME BACK TO

THEIR SENSES." HE WANTS A CITIZEN REVIEW BOARD, AND THEY ARE GOING TO TAKE THEIR GOVERNMENT BACK. THEY DO NOT HAVE TO LISTEN TO ALL THIS RHETORIC. HE CRITICIZED MAYOR HOLLISTER FOR HIS ABSENCE.

LLOYD TEETS OF 116 NOTED THAT THE DEADLINE FOR FILING FOR ELECTIVE OFFICE IS FAST APPROACHING. ALL CANDIDATES MUST FILE BY 4:00 P.M. ON MAY 13, 1997. UNDER STATE LAW, YOU MUST NOW FURNISH PROOF OF CITIZENSHIP WHEN YOU FILE. THIS REQUIRES THAT YOU BRING EITHER; YOUR BIRTH CERTIFICATE, YOUR PASSPORT, OR NATURALIZATION PAPERS TO THE CLERK'S OFFICE WITH YOU. HE SUPPORTS THE FORMATION OF A CITIZENS REVIEW BOARD. HE STATED THAT HE HAS BEEN INSTRUMENTAL IN DRAFTING THE LANGUAGE FOR THE LAST THREE CHARTER AMENDMENT ISSUES THAT HAVE BEEN ON THE BALLOT, AND HE WILL BE ACTIVE IN DRAFTING THE LANGUAGE FOR THE CITIZENS REVIEW BOARD.

DENISE MILLER OF 6135 HAAG RD. STATED HER SUPPORT FOR THE RECOMMENDATIONS OF THE MARCH FOR JUSTICE. AS A RESIDENT OF LANSING, SHE IS FRUSTRATED WITH THE PARKING SITUATION IN THE DOWNTOWN AREA, WHICH DOES NOT INVITE RESIDENTS TO VISIT. SHE REPORTED HAVING A BAD EXPERIENCE WITH AN LPD OFFICER.

AMMAHAD SHEKARAKKI OF 902 W. WILLOW URGED SUPPORT FOR THE CREATION OF A CITIZENS REVIEW BOARD. THE PUBLIC SHOULD CHECK OUT THE ACTIVITIES OF THE BOARD OF POLICE COMMISSIONERS, AND THEN THEY WOULD SEE THAT WE REALLY DO NEED THE CITIZENS REVIEW BOARD.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #224 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED A REQUEST FROM THE PLANNING DEPARTMENT TO BE GIVEN AUTHORIZATION TO EXPLORE THE DEVELOPMENT OF RECREATIONAL FACILITIES FOR THE 140 ACRE PROPERTY LOCATED EAST OF AURELIUS ROAD, NORTH OF I-96, WEST OF PINE STREET ROAD, AND ADJACENT TO THE OAKWOOD EXECUTIVE PARK, KNOWN AS THE AURELIUS ROAD LANDFILL.

REPORTS AS FOLLOWS: THE COMMITTEE REVIEWED THE REQUEST WITH THE PLANNING DEPARTMENT STAFF AND APPROVED AUTHORIZATION THAT THE ADMINISTRATION BE ABLE TO SOLICIT PROPOSALS FOR THE DEVELOPMENT OF RECREATIONAL FACILITIES FOR THE PROPERTY COMMONLY KNOWN AS THE AURELIUS ROAD LANDFILL AND THAT THE PLANNING DEPARTMENT REPORT BACK TO THE COMMITTEE WITH THEIR FINDINGS.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY



THAT THE REPORT OF THE COMMITTEE BE APPROVED.

CARRIED UNANIMOUSLY

### **CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL: TRANSFER CLASS C: NEW CHINA OF MI, INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

A. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

B. NOTICE OF DEADLINES FOR FINAL BALLOT WORDING FOR LOCAL PROPOSITIONS FOR THE AUGUST 5, 1997 AND NOVEMBER 4, 1997 ELECTIONS

RECEIVED AND PLACED ON FILE

C. LOCAL GOVERNMENT 15-DAY NOTICE OF AN APPLICATION FILED BY RITE-AID OF MICHIGAN FOR TRANSFER OF OWNERSHIP AND LOCATION OF A 1995 SDD LICENSE HELD IN ESCROW FROM MOONEY OIL CORP.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

D. LOCAL GOVERNMENT 15-DAY NOTICE OF REQUESTS FROM TOM'S SHOP RITE TO TRANSFER OWNERSHIP OF SDM LICENSES LOCATED AT 102-122 E. MT. HOPE AVENUE AND 312 W. WILLOW

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. AFFIDAVIT OF DISCLOSURE FILED BY COUNCILMEMBER ELLEN BEAL

REFERRED TO THE CITY ATTORNEY

4. LETTER OF RESIGNATION FROM ETHICS BOARD MEMBER JOAN TREZISE

RECEIVED AND PLACED ON FILE

5. LETTERS FROM THE MAYOR RE:

A. LETTER OF APPRECIATION TO HUMAN RELATIONS DIRECTOR ART WALKER FROM MELVIN T. JONES, HUMAN RELATIONS AND COMMUNITY RESOURCES ADVISORY BOARD

RECEIVED AND PLACED ON FILE

B. LETTER OF APPRECIATION FROM RITA J. KLEIN REGARDING THE STORMWATER FEE

RECEIVED AND PLACED ON FILE

C. TRANSFER OF FUNDS: LANSING POLICE DEPARTMENT, PRINCIPAL SHOPPING DISTRICT, CITY SUPPORTED ACTIVITIES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. GRANT AGREEMENT AMENDMENT # 1, PLAYGROUND EQUIPMENT, BF 93-270

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. PARK DESIGN AND RESEARCH PROJECTS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F. LETTER OF APPRECIATION TO MELANIE WINNICKER, HUMAN RELATIONS AND COMMUNITY SERVICES, FROM JIM PAPARELLA, DIVISION DIRECTOR OF RUNAWAY AND HOMELESS YOUTH SERVICES

RECEIVED AND PLACED ON FILE

G. LETTER OF APPRECIATION TO THE LANSING POLICE OFFICERS AT THE SOUTH PRECINCT

RECEIVED AND PLACED ON FILE

H. LETTER OF APPRECIATION TO OFFICER JILL GHELDOLF FROM MARY M. HAUSER

RECEIVED AND PLACED ON FILE

I. LETTER OF COMPLAINT RE: THE LANSING PARKS DEPARTMENT

RECEIVED AND PLACED ON FILE

J. LETTER OF APPRECIATION TO ELEANOR LOVE AND DENNIS SYKES, PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPT., FROM PASTOR JAMES M. O'CONNOR

RECEIVED AND PLACED ON FILE

K. NOTICE OF CHANGE REGARDING CONTINENTAL CABLEVISION

RECEIVED AND PLACED ON FILE

L. LETTER OF SUPPORT FOR THE LANSING REGIONAL SISTER CITIES COMMISSION  
RECEIVED AND PLACED ON FILE

M. PURCHASE OF PROPERTY AT 1626 ROSENEATH AVENUE

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

N. REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS: ACADEMY BALLET THEATER

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

O. LETTER OF APPRECIATION TO LANSING POLICE DEPT. FROM TIM METTS, CHIEF OF POLICE, LESLIE POLICE DEPT.

RECEIVED AND PLACED ON FILE

P. TRANSFER OF FUNDS; LEPFA FOR THE DIAMOND CLASSIC (SUSPENSION ITEM)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS  
**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER NOVAK

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM CAMERON OHL, NO ADDRESS GIVEN, REGARDING THE CONDITION OF DOWNTOWN STREETS

REFERRED TO THE PUBLIC SERVICE BOARD

2. LETTER FROM LORI FUDGE, OWNER OF EXQUISITE TOUCH SALON, 5528 S. DR. MARTIN LUTHER KING, JR. BLVD., OPPOSING THE TAX ABATEMENT FOR SILVER STONE TOWNHOUSES

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. LETTERS FROM HELEN FISER, 12100 S. CORK ROAD:

- REGARDING HER FOIA REQUEST REGARDING SEWER BACK UPS
- REGARDING THE PUBLIC HEARING ON THE CSO PLAN, 5/13
- VIOLATIONS OF OPEN MEETINGS ACT AT COMMITTEE MEETINGS

REFERRED TO THE CITY ATTORNEY (WITH A REPORT REQUESTED TO THE COMMITTEE OF THE WHOLE)

4. COPY OF A MOTION FOR EXTENSION OF TIME FILED WITH THE FEDERAL COMMUNICATIONS COMMISSION BY CONTINENTAL CABLEVISION OF LANSING AND UNITED CABLE TELEVISION OF MID-MICHIGAN, INC.

REFERRED TO THE CITY ATTORNEY

5. COPIES OF LETTERS FROM DARNELL E. OLDHAM, SR., 3815 BERWICK DRIVE REGARDING:

- HIS OBJECTION TO THE APPOINTMENT OF THE ACTING PUBLIC SERVICE DIRECTOR
- HIS APPEAL OF HIS STORMWATER ENTERPRISE FEE

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

6. LETTER FROM CHRISTINE TIMMON, NO ADDRESS GIVEN, REGARDING THE LANSING POLICE DEPARTMENT AND U.S. REPRESENTATIVE DEBBIE STABENOW

RECEIVED AND PLACED ON FILE (INFORMATIONAL COPY DIRECTED TO THE PUBLIC SAFETY COMMITTEE)

7. LETTER FROM JOSEPH, ALICE AND SCOTT PEPPER AND DEDE BAILEY OF 723 BRITTEN AVE. OBJECTING TO THE REQUEST FOR REZONING FOR ARBOR DRUGS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

8. NOTICE FROM THE STATE OF MICHIGAN, DEPT. OF ENVIRONMENTAL QUALITY, OF THE FILING BY THE CITY OF LANSING OF A REQUEST FOR A PERMIT TO REMOVE AN EXISTING 48" DIAMETER CULVERT AND REPLACE IT REFERRED TO THE PUBLIC SERVICE BOARD

9. NOTICE FROM THE STATE TAX COMMISSION OF PROCEDURES FOR 1997 MILLAGE REQUESTS AND MILLAGE ROLLBACKS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10. NOTICE FROM THE PUBLIC SERVICE COMMISSION OF A HEARING FOR CUSTOMERS OF CONSUMERS ENERGY COMPANY REGARDING CASE #U-11358

RECEIVED AND PLACED ON FILE

11. NOTICE FROM THE MICHIGAN DEPT. OF TREASURY CERTIFYING THE STATE EDUCATION TAX LEVY AT A RATE OF 6 MILLS FOR THE 1997 YEAR

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

12. NOTICE FROM THE DEPT. OF ENVIRONMENTAL QUALITY OF THE ISSUANCE OF A LICENSE TO LIFE O'RILEY MOBILE HOME PARK/CAMPGROUND, 6726 S. WASHINGTON AVE. FOR 38 SITES

REFERRED TO THE PLANNING BOARD

13. PETITION FILED BY SEVEN RESIDENTS OPPOSING TCO-97-07, -08, -09, AND 10 AUTHORIZING INSTALLATION OF PARKING METERS ON KALAMAZOO STREET, PINE STREET AND LENAWEE STREETS

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14. LETTER FROM THE CAPITAL REGION AIRPORT AUTHORITY REGARDING THE 4TH AMENDED DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

15. REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS FROM THE INGHAM INTERMEDIATE SCHOOL DISTRICT FOR AN EVENT AT THE LANSING CENTER ON ALTERNATIVE CAREER CHOICES FOR YOUNG WOMEN (SUSPENSION ITEM)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

### **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER LEEMAN

TO EXCUSE COUNCILMEMBER BENAVIDES FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER LEEMAN SAID THAT HE ATTENDED THE NORTH TOWN NEIGHBORHOOD ASSOCIATION MEETING LAST TUESDAY. THEY HAD CONCERNS REGARDING THE ICE SKATING RINK AT BANCROFT PARK, AND THAT GROESBECK GOLF COURSE NOT BE ALLOWED TO ENCROACH ONTO PARK PROPERTY. THIS CONCERN HAS BEEN COMPOUNDED BY THE FACT THAT THE BOARD OF WATER & LIGHT IS CURRENTLY CONTAMINATING A POND LOCATED IN BANCROFT PARK. BOB CLEGG, PUBLIC SERVICE DEPARTMENT ENGINEER, WAS ASKED TO MEET WITH THE NORTH TOWN ASSOCIATION TO ENSURE THAT THESE TWO GROUPS ARE NOT AGGRAVATING THESE PROBLEMS. THE BOARD OF WATER & LIGHT DOES NOT AGREE WITH THE DRAIN COMMISSIONER ON HOW TO DEAL WITH THE FLY-ASH ISSUE.

COUNCILMEMBER BAUER SAID THAT LAST WEDNESDAY, SHE, ALONG WITH COUNCILMEMBER LEEMAN, ATTENDED A SYMPOSIUM ON REGIONAL COOPERATION. THERE WERE ADMINISTRATORS FROM ALL OF THE CITIES AND TOWNSHIPS IN INGHAM COUNTY PRESENT AT THAT, VERY INTERESTING MEETING. THIS WAS A FIRST STEP INTO SOME DIALOGUES, AND SHOULD PROVE TO BE VERY HELPFUL.

COUNCILMEMBER LILLY THANKED COUNCIL PRESIDENT BEAL FOR HER COMMENTS IN SUPPORT OF THE DIAMOND CLASSIC. HE THANKED AND COMMENDED MAYOR HOLLISTER AND BOB SWANSON (FINANCE DIRECTOR) FOR FINDING THE MONIES TO BRING THE EVENT TO LANSING. HE CREDITED TIM STAUDT OF CHANNEL 10 WITH BEING INSTRUMENTAL IN SETTING THESE PLANS IN MOTION. OLDSMOBILE PARK IS REALLY THE PLACE FOR THE DIAMOND CLASSIC TO BE HELD. PETER SULLIVAN, CEO OF LEPPA, HAS OTHER IDEAS FOR ACCOMMODATING HIGH SCHOOL BASEBALL GAMES AFTER THE END OF THE REGULAR SEASON. THANKS TO EVERYONE WHO ROLLED UP THEIR SLEEVES AND BROUGHT THIS EVENT TO OLDSMOBILE PARK.

COUNCILMEMBER JONES CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE WAYS AND MEANS COMMITTEE THIS WEDNESDAY AT 4:00 P.M., WHERE THEY WILL LOOK AT THE PRACTICE OF INVESTING PENSION FUND MONIES IN ENTERPRISES OUTSIDE THE CITY OF LANSING. THEY WILL ALSO TAKE UP THE TIFA PROPOSAL.

COUNCIL PRESIDENT BEAL REPORTED THAT LAST TUESDAY EVENING THE SPRING SPECTACULAR WAS HOSTED BY LEAP, AND COUNCILMEMBER JONES WAS AWARDED THE GOLDEN APPLE AWARD FOR HIS CONTRIBUTION TO PROJECT PLAY.

SHE URGED EVERYONE WHO HAS A HIGH SCHOOL STUDENT INTERESTED IN FINE ARTS TO ENROLL THEM AT EVERETT HIGH SCHOOL. THEIR PERFORMANCE WAS OUTSTANDING, SO IF YOU HAVE MUSICAL ABILITY, OR DANCE ABILITY, PLEASE CONSIDER EVERETT HIGH. SHE ASKED ABOUT THE STATUS OF THE REQUEST BY COUNCILMEMBERS THAT THE NPDES HEARING, SCHEDULED AT THE SOUTH SIDE POLICE PRECINCT, BE RESCHEDULED IN COUNCIL CHAMBERS. THIS WOULD MAKE THIS HEARING MORE ACCESSIBLE TO THE PUBLIC.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER SAID THAT HE IS HAPPY TO BE ABLE TO AGREE THAT MR. TEETS DOES NOT KNOW WHAT HE IS TALKING ABOUT. THE PUBLIC HEARING NOTICE ON THE TIFA PROPOSAL IS DESIGNATED BY STATE LAW. THIS PROPOSAL ALLOWS US TO USE PROPERTY VALUES FOR PROJECTS IN THOSE AREAS. THIS ADDS PROJECTS TO THE LIST OF PROJECTS THAT THE CITY CAN ALREADY COMPLETE. THESE PROJECTS ALL HAVE TO BE APPROVED BY COUNCIL SO THEY ARE NOT BOONDOGGLES.

HE COMMENTED THAT WE NEED MORE POSITIVE PRESS ABOUT THE ACCOMPLISHMENTS OF OUR PUBLIC SCHOOL SYSTEM. WE HAVE TO DO A BETTER JOB OF TELLING OUR STORY ABOUT THE QUALITY OF EDUCATION GOING ON IN OUR SCHOOLS, ESPECIALLY TODAY WITH THE LEVEL OF COMPETITION AMONG SCHOOLS ENGENDERED BY THE SCHOOL OF CHOICE PROGRAM. THERE WAS AN ANNOUNCEMENT MADE BY THE CITY'S PUBLIC RELATIONS FIRM TODAY REGARDING OUR SCHOOL DISTRICT. THE PUBLIC RELATIONS FIRM DID THIS WORK PRO-BONO.

COUNCILMEMBER BEAL QUESTIONED MR. WIENER AS TO WHERE THE PUBLIC RELATIONS MONEY IS AT IN THE MAYOR'S PROPOSED 1997-98 BUDGET. SHE DIRECTED THAT THIS INFORMATION BE GIVEN TO THEM BY THIS SATURDAY'S BUDGET WRAP-UP SESSION.

COUNCILMEMBER JONES ASKED MR. WIENER ABOUT THE RUMORS HE HAS HEARD OF AN UNWARRANTED NUMBER OF POLICE OFFICERS BEING ASSIGNED TO THE MELLING DROP FORGE STRIKE SITE. HE ASKED WHAT THE CITY'S POLICY TOWARDS STRIKERS IS.

MR. WIENER REPLIED THAT THE SITUATION AT THIS SITE IS VERY TENSE. THE ROLE OF THE POLICE HAS ALWAYS BEEN TO PROTECT THE RIGHT OF STRIKERS TO STRIKE AND TO PROTECT THE SAFETY OF THE PEOPLE COMING AND GOING INTO THE DROP FORGE. THE STRIKERS HAVE AN ULTIMATE RIGHT TO HAVE A WARM PLACE TO STRIKE. WE ARE DOING EVERYTHING WE CAN TO MAINTAIN PEACE DURING THIS SITUATION.

**ADJOURNED 9:30 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MAY 12, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR  
SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY  
PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: COUNCILMEMBERS

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY  
COUNCILMEMBER

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF APRIL  
28, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE  
RULES:

1. FROM COUNCILMEMBER LILLY; A RESOLUTION RE-  
SETTING A PUBLIC HEARING IN CONSIDERATION OF THE  
QUALITY DAIRY PROJECT

2. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
APPROVING A SHOW PERMIT FOR THE FRIENDS OF TURNER  
DODGE

3. FROM COUNCILMEMBER BENAVIDES; A REQUEST THAT  
THE RULES BE SUSPENDED TO ALLOW FOR THE ADDITION OF  
A SPECIAL CEREMONY FOR SAFE KIDS TO BE ADDED TO THE  
AGENDA

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION  
OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS

COUNCILMEMBER NOVAK ANNOUNCED THAT HOLY CROSS WILL

HOLD THEIR ANNUAL FESTIVAL THIS WEEKEND.

COUNCILMEMBER ALLEN ANNOUNCED THAT THE FIRE  
DEPARTMENT WILL HOLD A MEMORIAL SERVICE AT THE SITE  
OF THE "UNKNOWN FIREFIGHTER" ON SATURDAY, MAY 24,  
1997.

SHE ANNOUNCED THAT THE RIVERWALK THEATRE WILL RUN  
"SUSAN TODD" FROM MAY 22, THROUGH JUNE 8.

THE PUBLIC SERVICE DEPARTMENT NEWSLETTER LISTS  
STREET REPAIR TAKING PLACE IN LANSING INCLUDING  
PORTIONS OF CAVANAUGH RD., PENNSYLVANIA AVE., CEDAR  
ST., AND HOLMES RD.

COUNCILMEMBER JONES ANNOUNCED THAT AT 5:30 THIS  
EVENING THE BLUE RIBBON COMMITTEE ON EDUCATION AND  
TRAINING GAVE THEIR REPORT AT THE FOSTER COMMUNITY  
CENTER. THEY HAVE IDENTIFIED THE FOLLOWING AREAS FOR  
IMPROVEMENT; 1) THE NEED FOR IMPROVED NEIGHBORHOOD  
HOUSING - THE CITY MUST PUT PRESSURE ON SLUM  
LANDLORDS. THIS WILL REQUIRE THE HELP OF  
SURROUNDING HOME OWNERS. 2) BUSINESS AND INDUSTRY  
MUST BECOME MORE FAMILY FRIENDLY, AS MUST CITY HALL,  
BY DEVELOPING PROGRAMS FOR FAMILY CHILD CARE AND  
MORE MIDDLE SCHOOL PROGRAMS. 3) INCREASED POLICE  
DEPARTMENT PROGRAMS FOR TEENS AND PRE-TEENS. 4)  
ACCEPTANCE OF THE FACT THAT THE TEAM POLICING  
CONCEPT IS NOT WORKING AND WE NEED TO RETURN TO THE  
OLD STYLE POLICING SYSTEM. 5) WE NEED TO ENCOURAGE  
EMPLOYERS TO ALLOW THEIR EMPLOYEES TO USE WORK TIME  
TO HELP STUDENTS IN SCHOOLS THROUGH ACTIVITIES LIKE  
THE MENTORING PROGRAM. 6) WE NEED TO ENCOURAGE  
OUR EMPLOYEES TO PURCHASE HOUSING IN THE CITY AND  
PROVIDE THEM WITH CHILD CARE WHEN THEY DO SO. 7)  
HOME HEALTH CARE FOR NEWBORN BABIES. 8) COMPUTER  
CO-OP PROGRAMS AT THE MIDDLE SCHOOL LEVEL.

COUNCILMEMBER LEEMAN SAID THAT TOMORROW, TUESDAY,  
MAY 13, 1997, CRISTO REY COMMUNITY CENTER ON N.  
HIGH ST. WILL SPONSOR AN INFORMATIONAL MEETING  
REGARDING THE CLEANUP OF THE MOTOR WHEEL LANDFILL  
SITE AT 6:30 P.M.

COUNCILMEMBER ALLEN ANNOUNCED THAT TOMORROW AT  
5:30 P.M. IN THE 10TH FLOOR CONFERENCE ROOM THE  
PUBLIC SAFETY COMMITTEE WILL MEET FOR WHAT MAY BE  
THE LAST TIME FOR DELIBERATION OF THE MARCH FOR  
JUSTICE ISSUES.

COUNCILMEMBER BAUER ANNOUNCED THAT THIS IS NATIONAL  
HISTORIC PRESERVATION WEEK, THE CITY WILL HAVE  
EXHIBITS ON DISPLAY IN THE LOBBY FOR THE ENTIRE WEEK.

MAYOR HOLLISTER ANNOUNCED A HUMAN SERVICES SUMMIT,  
TO BE HELD TOMORROW, FOCUSING ON NATIONAL WELFARE

REFORM AND HOW CHANGING FEDERAL POLICIES WILL AFFECT LOCAL AND STATE GOVERNMENTS.

► SPECIAL CEREMONIES

A. MAYOR HOLLISTER PRESENTED A PROCLAMATION DECLARING MAY 10-16, 1997 AS "SAFE KIDS WEEK" IN LANSING TO A REPRESENTATIVE FROM THE "MICHIGAN SAFE KIDS" ORGANIZATION. THEY ARE DEDICATED TO KEEPING MICHIGAN CHILDREN SAFE FROM POTENTIAL INJURIES.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON PUBLIC HEARINGS

1. IN CONSIDERATION OF THE SALE OF PROPERTY BY THE CITY OF LANSING FOR PROPERTY LOCATED AT THE SW CORNER OF THE INTERSECTION OF CAPITOL AVE. & SHIAWASSEE ST.

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. IN CONSIDERATION OF THE PROPOSED CITY OF LANSING BUDGET AND CAPITAL IMPROVEMENTS; THE PROPERTY TAX MILLAGE RATE PROPOSED TO BE LEVIED TO SUPPORT THE PROPOSED BUDGET, THE PROPOSED GENERAL FUND BUDGET TOTALING \$93,639,318; THE OVERALL BUDGET TOTALING \$146,769,826; THE PROPOSED OPERATING TAX LEVY WHICH WILL REMAIN AT 15.04 MILLS (\$15.04 PER \$1,000 STATE EQUALIZED VALUATION); THE PROPOSED DEBT SERVICE LEVY, REDUCED FROM 2.36 MILLS TO 2.06 MILLS (\$2.06 PER \$1,000 STATE EQUALIZED VALUATION)

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE OF THE WHOLE

► PUBLIC COMMENT ON LEGISLATIVE MATTERS

CONNIE DELANEY OF 3721 AURELIUS RD. SAID THAT SHE IS PLEASED THAT THE RESOLUTION GRANTING STORMWATER ENTERPRISE FUND FEE APPEALS IS GOING TO BE PASSED AFTER 17 MONTHS OF DELIBERATION. SHE STILL OPPOSES THE CURRENT ORDINANCE, COUNCIL NEEDS TO CONTINUE WORKING ON IT TO MAKE NECESSARY CHANGES. THIS WOULD FORESTALL ANY LAWSUITS THAT ARE CURRENTLY BEING PLANNED AGAINST THE ORDINANCE. SHE DOES NOT SUPPORT PLACING THIS ORDINANCE ON THE BALLOT.

**LEGISLATIVE MATTERS**

**RESOLUTIONS**

**RESOLUTION #225**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MICHIGAN UNITED CONSERVATION CLUBS ("MUCC") FILED A CLAIM AGAINST THE CITY IN AN APPROXIMATE AMOUNT OF \$32,454.00 FOR REIMBURSEMENT OF THE INSPECTION AND BUILDING PERMIT REGARDING PROPERTY AT 110-112 W. MICHIGAN, LANSING, MICHIGAN;

WHEREAS, IT APPEARS THAT THE ORIGINAL INTENT OF THE MUCC WAS TO CONSTRUCT AN EIGHT-STORY MULTI-PURPOSE BUILDING ON PROPERTY LOCATED AT 110-112 W. MICHIGAN, LANSING, MICHIGAN, WHICH THE CITY OF LANSING ISSUED A BUILDING PERMIT NO. B-94-1053, ON AUGUST 23, 1994;

WHEREAS, MUCC COULD NOT OBTAIN THE NECESSARY FUNDS TO CONSTRUCT THE EIGHT STORY BUILDING AS ORIGINALLY PROPOSED, AND HAD TO SCALE BACK THE PROJECT TO A TWO-STORY BUILDING;

WHEREAS, DUE TO THE UNTIMELY DEATH OF MUCC'S FORMER EXECUTIVE DIRECTOR, THOMAS WASHINGTON, THE PROJECT WAS NOT COMPLETED IN ANY MANNER;

WHEREAS, THE TWO-STORY PERMIT WAS NEVER ISSUED, MUCC REQUESTED A REFUND IN THE AMOUNT OF \$16,223.25;

WHEREAS, THE CITY ATTORNEY'S STAFF RECOMMENDATION WAS TO DENY THE CLAIM;

WHEREAS, THE CLAIM WAS APPEALED TO THE GENERAL SERVICES COMMITTEE, WHERE THE STAFF RECOMMENDATION WAS REVIEWED;

WHEREAS, THE COMMITTEE DETERMINED THAT THE PROCEDURAL ACTIONS DICTATED BY THE LANSING HOUSING CODE WERE TAKEN AND DOCUMENTED BY THE BUILDING SAFETY DIVISION, AND THE CITY HAS NO LEGAL OBLIGATION TO REIMBURSE THE CLAIMANT'S FOR ANY OF THE ITEMS NOTED IN THE CLAIM;

WHEREAS, THE COMMITTEE RECOMMENDS THAT THE REQUESTED REFUND AMOUNT OF \$16,223.25 BE PLACED IN ESCROW AND THAT MUCC CAN DRAW UPON THE AMOUNT AT SUCH TIME THE TWO-STORY STRUCTURE IS SOLD OR AS CREDITS TOWARDS NEW BUILDING PERMITS IN COMPLETING THE STRUCTURE;

WHEREAS, THAT THE COMMITTEE RECOMMENDS CREATING THIS ESCROW ACCOUNT AS AN INCENTIVE TO COMPLETE THE TWO-STORY STRUCTURE INSTEAD OF ALLOWING THE STRUCTURE TO REMAIN UNSOLD;

NOW THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO GRANT AN ESCROW ACCOUNT IN THE AMOUNT OF \$16,223.25; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS REQUESTED TO NOTIFY THE CITY ATTORNEY'S OFFICE. UPON NOTIFICATION FROM THE CLERK, THE CITY ATTORNEY'S

OFFICE WILL PREPARE A RELEASE FOR MUCC'S EXECUTION AND UPON RECEIPT OF SAID EXECUTED RELEASE WILL GRANT AN ESCROW ACCOUNT IN THE AMOUNT OF \$16,223.25.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #226**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

PEDDLER: MITCHELL JOEL SCHULTZ 334 EAST  
HILLSDALE

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #227**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

PEDDLER: RICKY J. NELSON, 6122 BRIARWICK CT.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #228**

BY GENERAL SERVICES COMMITTEE

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

SECOND HAND DEALER: ELDERLY INSTRUMENTS 1100  
N. WASHINGTON

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #229**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

SECOND HAND DEALER: CAPITOL DISCOUNT AND  
SECOND HAND STORE, INC.  
5724 SOUTH MARTIN LUTHER  
KING JR., BLVD.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #230**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

SECOND HAND DEALER: GOOD DEALS ASSOCIATES,  
1406 WEST SAGINAW

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #231**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

SECOND HAND DEALER: ACTION DISCOUNT HOUSE  
112 NORTH LARCH STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #232**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION.  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

SECOND HAND DEALER: AMVETS SERVICES INC. 3222  
SOUTH MARTIN LUTHER KING,

JR. BLVD.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #233**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

SECOND HAND DEALER: FUNCO, INC. 438 EAST  
EDGEWOOD BOULEVARD

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #234**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

VEHICLE FOR HIRE CAPITOL TRANSPORT, L.L.C. 229  
SOUTH CEDAR STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #235**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF

## THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: NORTHSIDE SERVICE, INC. 226  
RUSSELL STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #236**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: MAC'S ALL CAR SERVICE, INC. 1800  
GLENROSE AVENUE

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #237**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: Hidy's TOWING & SNOWPLOWING, INC.  
721 CHILSON AVENUE

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #238**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE; BUTCH'S TOWING 265 NORTH  
AURELIUS ROAD

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #239**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: JERRY'S AUTOMOTIVE 5544 SOUTH  
MARTIN LUTHER KING, JR.  
BOULEVARD

BY COUNCILMEMBER BENAVIDES



CARRIED UNANIMOUSLY

**RESOLUTION #240**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: JACK'S AUTOMOTIVE SERVICE 1127  
NORTH CEDAR STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #241**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: K & D TOWING 4012 SOUTH CEDAR  
STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #242**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED

WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: DUANE'S SHELL, INC. 6300 WEST  
ST. JOSEPH STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #243**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE NORTH LANSING COMMUNITY ASSOCIATION SUBMITTED A GRANT APPLICATION TO THE MAYOR'S NEIGHBORHOOD ADVISORY COMMITTEE REQUESTING SUPPORT FOR THE CARNIVAL FOR HERITAGE FESTIVAL; AND

WHEREAS, THE MAYOR'S NEIGHBORHOOD ADVISORY COMMITTEE DENIED THEIR REQUEST BASED UPON THEIR DETERMINATION THAT "THERE SHOULD BE A MORE PERMANENT LONG TERM IMPACT ON THE NEIGHBORHOOD;" AND

WHEREAS, AT THE REQUEST OF FIRST WARD COUNCILMEMBER HAROLD LEEMAN, JR., THE GENERAL SERVICES COMMITTEE REVIEWED THE NORTH LANSING COMMUNITY ASSOCIATION GRANT APPLICATION AND REQUEST AND DETERMINED THAT THEIR REQUEST IS WORTHWHILE AS THE ASSOCIATION'S GOAL IS TO PROMOTE A FEELING OF UNITY AND COOPERATION AMONG A DIVERSE NEIGHBORHOOD IN THE CITY OF LANSING;

NOW, THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF LANSING SHALL SUPPORT THIS EVENT IN THE AMOUNT OF \$1,000. THE FUNDS ARE TO BE TAKEN OUT OF THE CITY COUNCIL COMMUNITY PROMOTIONS ACCOUNT 101-112101741200.0.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #244**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES

COMMITTEE HELD ON FEBRUARY 27, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED THE APPEAL OF JEFFREY AND JULIA BAKER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-263-532-055; COMMONLY KNOWN AS WABASH ROAD, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS HYDROLOGICAL INVESTIGATION OF PARCEL No. 3301-263-532-055 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF JEFFREY AND JULIA BAKER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED WITH RESPECT TO PARCEL No. 3301-263-532-055; AND

WHEREAS, THE COMMITTEE HEARD A PRESENTATION OF FACTS FROM THE OWNER OF PARCEL No. 3301-263-532-055 IN SUPPORT OF AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE;

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-263-532-055 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE, BE IT RESOLVED, THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-263-532-055 BE REDUCED BY 100%; AND

BE IT FURTHER RESOLVED THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-532-055 BE EQUAL TO \$0.00; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY JEFFREY AND JULIA BAKER AS THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-263-532-055 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

**RESOLUTION #245**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED APPEALS FOR RELIEF FROM THE 1996 STORMWATER FEE FILED BY SEVERAL RESIDENTS; AND

WHEREAS, THE COMMITTEE RECOMMENDS THAT THE APPEALS BE GRANTED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES THAT THE FOLLOWING STORMWATER FEE APPEALS BE GRANTED:

RONALD AND CARL JONES 2818 STOCKMAN ST.,  
PARCEL #3301-05-330-101-8

REX HELMS 6212 KENBROOK RD., PARCEL #3305-07-229-102-4

REX HELMS 0000 KENBROOK RD., PARCEL #3305-07-228-101-0

FRANCES HUNAUT WAYNE ST., PARCEL #3301-35-352-001-2

AND BE IT FURTHER RESOLVED THE CLERK IS REQUESTED TO FORWARD THIS RESOLUTION TO THE MAYOR FOR ACTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

**RESOLUTION #246**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE HOLMES ROAD RESIDENTS ARE PLANNING A COMMUNITY FESTIVAL, PROVIDING FREE ENTERTAINMENT, FOOD, PRIZES AND GAMES TO THE RESIDENTS OF THE HOLMES ROAD AREA; AND

WHEREAS, THE FESTIVAL WILL BE HELD IN THE HOLMES ROAD CHURCH OF CHRIST PARKING LOT ON AUGUST 9, 1997; AND

WHEREAS, THE NEIGHBORHOOD ORGANIZATION HAS ASKED THE CITY TO SUPPORT THIS EVENT BY WAIVING THE COSTS

ASSOCIATED WITH RENTING THE CITY SNOWMOBILE;

NOW, THEREFORE, BE IT RESOLVED THIS REQUEST IS APPROVED BY THE LANSING CITY COUNCIL AND THE DEPARTMENTAL COSTS ASSOCIATED WITH THIS WAIVER OF THE SNOWMOBILE SHALL BE CHARGED TO THE CITY OF LANSING COMMUNITY PROMOTION ACCOUNT #101-173901-741289.0.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #247**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CAPITAL AREA UNITED WAY HAS ASKED THE CITY COUNCIL FOR A 60% REDUCTION OF THEIR PRINCIPAL SHOPPING DISTRICT ASSESSMENT BASED UPON THE FACT THAT THEY ARE A NON-PROFIT ORGANIZATION; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES IS RECOMMENDING THAT A WAIVER OF THE OCTOBER 15, 1996, FILING DEADLINE IN THIS INSTANCE;

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF LANSING HEREBY APPROVES THE 60% REDUCTION IN CAPITAL AREA UNITED WAY'S PRINCIPAL SHOPPING DISTRICT ASSESSMENT. THE SPECIAL ASSESSMENT FEES WERE \$2,462.78 FOR THE PROPERTY LOCATED AT 300 NORTH WASHINGTON SQUARE, #201, LANSING, MICHIGAN. THE CAPITAL AREA UNITED WAY HAS PAID THE REDUCED AMOUNT OF \$970.71, WHICH IS THE 60% REDUCTION RATE.

BE IT FURTHER RESOLVED, THAT THE CLAIM BY THE CAPITAL AREA UNITED WAY IS HEREBY SETTLED IN THE AMOUNT OF \$970.71.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #248**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 1246 ALLEN, LEGALLY DESCRIBED AS:

3301 22 280 132 5 (LOTS 108 & 109  
PARKVIEW LAND CO ADD)

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MARCH 31, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS RESOLUTION MAY 12, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHER-WISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #249**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 230 S HOSMER, LEGALLY DESCRIBED AS:

3301 15 302 181 4 (E 1/2 OF S 45.75 Ft LOT  
11 BLOCK 6 GREEN OAK ADD)

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MARCH 24, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS RESOLUTION MAY 12, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY

ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #250**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 131 E HOWE, LEGALLY DESCRIBED AS:

3301 04 251 181 1 (LOT 127 & 66 PT FORMER  
HER RR R/W LYING E, ADJACENT & PAR L To E LY LINE  
LOT 127 SUPERVISOR S PLAT OF WALKER HEIGHTS NO  
1)

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MARCH 24, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MAY 12, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH

DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #251**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 1100 BEMENT, LEGALLY DESCRIBED AS:

33010 15 380 2615 Lot 9 Block 9 LANSING  
IMPROVEMENT COMPANY S ADD

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MARCH 24, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MAY 12, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #252**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 615 MANCHESTER, LEGALLY DESCRIBED AS:

3301 09 481 061 8 Lot 9 Block 3 Assessor S  
PLAT No 32 REC L I I P I 3

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MARCH 24, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO

APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MAY 12, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS' ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #253

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 611 MANCHESTER, LEGALLY DESCRIBED AS:

3301 09 481 051 9 (Lot 8 Exc W 10 Ft Block  
3 Assessor S Plat No 32 Rec L 11 P 13)

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF

THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MARCH 31, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MAY 12, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS' ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #254

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 505 REGENT, LEGALLY DESCRIBED AS:

3301 15 480 101 3 (Lot 163 PAUL PARK ADD)

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING

CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MARCH 31, 1997 TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MAY 12, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS' ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR (?F THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #255**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 1127 W. MT. HOPE, LEGALLY DESCRIBED AS:

3301 29 202 261 3 (LOT 8 BLOCK 31  
ELMHURST No 2 SUB)

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON SEPTEMBER 26, 1996, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MARCH 31, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MAY 12, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS' ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #256**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$9,127	EST REV-WORKERS COMP. 765-0-1700001	CLAIMS 765-174170- 741700-0

(PAYMENT OF CARTER AND JAMES SETTLEMENTS. REVENUE  
DETAIL ACCOUNT 765-0-620000-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$24,700	EST REV-GENERAL FUND 101-0-170001-0	POLICE DEPT. -CONTROL 101-343201-992200-0
\$24,700	POLICE DEPT. -CONTROL 101-343201-992200-0	
\$3,500		TELEPHONE 101-343230- 744200-0
\$21,200		REPAIR & MAINT. 101- 343230-746000-0

(CONTRACT AMENDMENT WITH INGHAM COUNTY FOR 911  
INCLUDING LEIN EXPENSES ANDS CAD SYSTEM MAINTENANCE  
COSTS. REVENUE DETAIL ACCOUNT 101-0-617100-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,935	POLICE-CENTRAL SERVICES-MISC. & OPER. 101-343224- 741000-0	EQUIPMENT 101-343224- 977000-0

(PURCHASE OF 7 HEAVY DUTY STOOLS FOR USE BY  
DETENTION PERSONNEL.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$100	REACH FUND BALANCE 265-0-390001-0	OPERATING TRANSFER- GRANT MATCH 265-0- 343254-991273-0

(CORRECTION TO PREVIOUS TRANSFER (RESOLUTION # 18)  
FOR REACH GRANT.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$100.65	ESTIMATED REVENUES- GENERAL FUND 101-0- 170001-0	POLICE DEPT.-CONTROL 101-343201-992200-0

\$100.65	POLICE DEPT. CONTROL 101-343201-992200-0	DONATIONS-D.A.R.E. 101-343201-741879-0
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(D.A.R.E. PROGRAM PROCEEDS FROM T-SHIRT FUND  
RAISING.)

~~\$117,631 FROM ESTIMATED REVENUES-STATE & FEDERAL  
PROGRAMS 273-0-170001-0~~  
~~\$8,285 TO OVERTIME-CIVILIAN 273-343208-708000-0~~  
~~\$ 552 TO OVERTIME-SWORN 273-343208-708100-0~~  
~~\$4,350 TO FRINGE BENEFITS-LPD 273-343208-715000-0~~  
~~\$1,200 TO LPD Misc. & OP 273-343208-741000-0~~  
~~\$103,244 TO RESEARCH PARTNERSHIP SUBCONTRACT 273-343208-961743-17613~~

(FEDERAL DEPT. OF JUSTICE FOR CONTINUATION OF MSU-  
LPD STUDY ON METHODS AND EFFICACY OF OPERATIONS FOR  
COMMUNITY POLICING. REVENUE DETAIL ACCOUNT 263-0-  
501304-17613).

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$13,000 <del>\$19,000</del>	STADIUM FUND- FUND BALANCE 234-0-390001-0	LEPFA OPER TRANSFER 234-0-966000-991570-0

(FUNDING FROM STADIUM PROCEEDS FOR USE OF  
OLDSMOBILE PARK FOR DIAMOND CLASSIC, \$9,000.  
FUNDING FOR HIGH SCHOOL ALL-STAR GAME, \$1,000.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$87,000	GEN ADMIN-EST VACANCIES 101- 173901-701001-0	GEN ADMIN.-CTRL 101-173901-992200-0
\$87,000	GEN ADMIN.-CTRL 101-173901-992200-0	POLICE DEPT.- CTRL 101-343201-992200-0
\$87,000	POLICE DEPT. -CTRL 101-343201-992200-0	OVERTIME-SWORN 101-343201-708100-0

(PROJECTED EXPENDITURES FOR OVERTIME RELATED TO  
MAYOR'S ACTION PLAN, AND FOR BACKGROUND CHECKS FOR  
FRONT LOADING OF HIRING OF NEW OFFICERS TO REPLACE  
PROJECTED RETIREMENTS IN THE REMAINDER OF THE  
CURRENT, AND NEXT FISCAL YEAR.)

BY COUNCILMEMBER JONES

TO PULL THE \$117,631 TRANSFER OF FUNDS FOR THE  
LPD

CARRIED UNANIMOUSLY

BY COUNCILMEMBER JONES

TO AMEND THE \$10,000 TRANSFER TO LEPFA TO A



\$13,000 TRANSFER

CARRIED UNANIMOUSLY

BY COUNCILMEMBER JONES

TO APPROVE THE REMAINING TRANSFERS AS SUBMITTED

CARRIED UNANIMOUSLY

#### RESOLUTION #257

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES(MDNR) AWARDED THE CITY OF LANSING GRANT FUNDS FOR PLAY EQUIPMENT AT DAVIS, FRANCES, HUNTER AND WASHINGTON PARKS; AND

WHEREAS, THE CITY COUNCIL ACCEPTED THE GRANT FROM THE MDNR PER RESOLUTION 464 OF 1994; AND

WHEREAS, THE MDNR AND CITY AGREED TO THE PROJECT COMPLETION DATE OF DECEMBER 31, 1996; AND

WHEREAS, THE CITY OF LANSING ACCEPTS THE TERMS OF THE GRANT AGREEMENT FROM THE MDNR, AND

WHEREAS, THE CITY WILL MAINTAIN SATISFACTORY FINANCIAL ACCOUNTS, DOCUMENTS AND RECORDS AND WILL MAKE THEM AVAILABLE TO THE MDNR FOR AUDITING AT REASONABLE TIMES; AND

WHEREAS, DUE TO THE UNCERTAINTY OF THE SOUTH SIDE COMMUNITY CENTER LOCATION AND THE POSSIBILITY OF MOVING THE WASHINGTON PARK PLAY STRUCTURE THE PLAYGROUND PROJECT COMPLETION WAS DELAYED; AND

WHEREAS, IT HAS BEEN DETERMINED THAT SINCE THE WASHINGTON PLAY STRUCTURE IS TO REMAIN AND THAT NEEDED LANDSCAPING AND ADA ACCESS WALK IS TO BE INSTALLED ; AND

WHEREAS, DUE TO THE DELAY AND NEED FOR FURTHER IMPROVEMENTS, AN EXTENSION OF THE COMPLETION DATE IS NECESSARY; AND

NOW, THEREFORE BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY AUTHORIZES THE EXECUTION OF AMENDMENT NO. 1 TO EXTEND THE COMPLETION DATE OF RECREATION BOND GRANT AGREEMENT CONTRACT BF 93-270 TO DECEMBER 31, 1997 ON BEHALF OF LANSING BY THE MAYOR.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #258

BY THE COMMITTEE ON WAYS & MEANS

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON MARCH 20, 1995 BY RESOLUTION #208 OF 1995 THE CITY COUNCIL ESTABLISHED A POLICY FOR PRIORITY USE OF STADIUM REVENUES FROM OLDSMOBILE PARK IN EXCESS OF FUNDS NECESSARY TO PAY INSTALLMENT CONTRACT PAYMENTS; AND

WHEREAS, THE CITY COUNCIL INTENDS TO CLARIFY AND INCLUDE IN THE POLICY PRIORITY CERTAIN HIGH SCHOOL BASEBALL GAMES;

NOW THEREFORE, BE IT RESOLVED THE CITY COUNCIL HEREBY AMENDS PROVISION 2 OF THE STADIUM REVENUE POLICY STATEMENT TO PROVIDE AS FOLLOWS:

- 2. FROM ALL STADIUM REVENUES REMAINING AFTER APPLICATION OF PARAGRAPH 1 OF THIS RESOLUTION, AN AMOUNT NOT LESS THAN \$30,000 MORE THAN \$50,000 SHALL BE RESERVED FOR APPROPRIATION BY CITY COUNCIL EACH FISCAL YEAR FOR THE PURPOSE OF IMPROVING AND MAINTAINING NEIGHBORHOOD PARKS WITHIN THE CITY AND RECREATION PROGRAMS IN THOSE PARKS AND FOR THE PAYMENT OF THE EXPENSE OF THE SEMI FINAL AND FINALS OF THE DIAMOND CLASSIC AND THE HIGH SCHOOL ALL STAR CLASSIC HOSTED BY THE OLDTIMERS BASEBALL ASSOCIATION.

BE IT FINALLY RESOLVED ALL OTHER POLICY STATEMENT PROVISIONS OF RESOLUTION #208 OF 1995 ARE NOT CHANGED BY THIS RESOLUTION AND REMAIN IN FULL FORCE AND EFFECT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #259

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING IS NAMED AS A DEFENDANT IN A WORKERS' COMPENSATION ACTION, SSN 364-62-6224, INVOLVING ALLEGED WORK RELATED INJURIES; AND

WHEREAS, IT IS PROPOSED THAT SAID ACTION BE RESOLVED BY VIRTUE OF ENTERING INTO A SETTLEMENT AGREEMENT IN WHICH THE CITY OF LANSING WOULD AGREE TO PAY TO PLAINTIFF THE SUM OF EIGHTY-FIVE THOUSAND DOLLARS (\$85,000) IN EXCHANGE FOR A COMPLETE REDEMPTION AND RELEASE OF THE CITY FROM ANY PAST, PRESENT, AND FUTURE LIABILITY REGARDING ANY ALLEGED INJURIES WHATSOEVER; AND

WHEREAS, THE PROPOSED SETTLEMENT IS RECOMMENDED BY THE MAYOR, THE PERSONNEL DEPARTMENT, THE CITY OF LANSING FUND ADMINISTRATOR, AND THE CITY ATTORNEY;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY APPROVE THE PAYMENT OF EIGHTY-FIVE THOUSAND DOLLARS (\$85,000) PURSUANT TO SAID PROPOSED SETTLEMENT AGREEMENT AS A FULL AND FINAL SETTLEMENT OF SAID ACTION.

BE IT FINALLY RESOLVED THAT THE LAW DEPARTMENT IS AUTHORIZED TO PREPARE AND EXECUTE THE REQUISITE DOCUMENTS TO COMPLETE SETTLEMENT OF THE AFOREMENTIONED LAWSUIT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #260

BY COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY RECEIVED \$64,000.00 IN 1995 EMERGENCY SHELTER GRANT FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE PURPOSE OF ADDRESSING THE NEEDS OF THE HOMELESS POPULATION IN THE COMMUNITY; AND

WHEREAS, APPROXIMATELY \$23,500.00 OF THE 1995 ESG GRANT, ORIGINALLY BUDGETED FOR SHELTER RENOVATION, REMAINS AVAILABLE TO ADDRESS THE NEEDS OF THE HOMELESS POPULATION AND MUST BE EXPENDED PRIOR TO JULY 1, 1997; AND

WHEREAS THE ADMINISTRATION HAS RECOMMENDED THAT THE REMAINING 1995 ESG FUNDS BE USED INSTEAD TO ESTABLISH THE ANCHOR PROGRAM AS A MORE EFFECTIVE USE OF THESE FUNDS, AS AN EFFECTIVE MEANS TO COORDINATE HOUSING AND RELATED SERVICES TO HOMELESS INDIVIDUALS AND FAMILIES, AND AS PART OF THE CONTINUUM OF CARE BEING CARRIED OUT BY SHELTER AND SERVICE PROVIDERS TO REDUCE HOMELESSNESS IN LANSING; AND

WHEREAS A PUBLIC HEARING WAS HELD BY THE LANSING CITY COUNCIL ON APRIL 21, 1997 TO RECEIVE CITIZEN COMMENTS REGARDING THE PROPOSED CHANGE IN USE OF THE 1995 ESG FUNDS; AND

WHEREAS THE COMMITTEE OF THE WHOLE HAS EVALUATED THE POTENTIAL OF THE ANCHOR PROGRAM TO REDUCE HOMELESSNESS IN THE COMMUNITY AND CONCURS WITH THE RECOMMENDATION OF THE ADMINISTRATION.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF LANSING HEREBY APPROVES THE RE-BUDGETING OF ALL 1995 ESG FUNDS REMAINING, IN THE APPROXIMATE AMOUNT OF \$23,500.00, TO ESTABLISH THE ANCHOR PROGRAM AS A SHELTER OPERATIONS ACTIVITY, AND THAT THE FUNDS BE TRANSFERRED TO THE APPROPRIATE ACCOUNT TO IMPLEMENT THAT CHANGE.

BE IT FURTHER RESOLVED THAT THE MAYOR, AS THE CITY'S CHIEF EXECUTIVE OFFICER, IS HEREBY AUTHORIZED TO SIGN

THE NECESSARY DOCUMENTS, INCLUDING ALL UNDERSTANDINGS, ASSURANCES AND CERTIFICATIONS THAT MAY BE REQUIRED TO EFFECTUATE THE CHANGE IN THE USE OF 1995 ESG FUNDS, AND TO SUBMIT SUCH DOCUMENTS TO HUD.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #261

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING AND THE TEAMSTERS, STATE, COUNTY AND MUNICIPAL WORKERS LOCAL #214 HAVE NEGOTIATED A LABOR AGREEMENT FOR THE PERIOD COVERING FEBRUARY 1, 1997 THROUGH JANUARY 31, 2000; AND

WHEREAS, THE TEAMSTERS, STATE, COUNTY AND MUNICIPAL WORKERS, LOCAL 214 MEMBERSHIP HAS RATIFIED THIS AGREEMENT; AND

WHEREAS, THE MAYOR HAS RECOMMENDED THAT THE CONTRACT BE APPROVED; AND

WHEREAS, THE CITY COUNCIL HAS REVIEWED THE CONTRACT PROVISIONS; AND

WHEREAS, THE PROPOSED AGREEMENT IS WITHIN THE PARAMETERS ESTABLISHED BY THE CITY AND WITHIN BUDGET LIMITATIONS;

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY COUNCIL HEREBY RATIFIES THE CONTRACT BETWEEN THE CITY OF LANSING AND TEAMSTERS, STATE, COUNTY AND MUNICIPAL WORKERS LOCAL #214 FOR THE PERIOD FEBRUARY 1, 1997 THROUGH JANUARY 31, 2000; AND

BE IT FURTHER RESOLVED, THAT THE COMMITTEE OF THE WHOLE AUTHORIZES THE ADMINISTRATION TO PROCESS THE NECESSARY APPROPRIATIONS AND TRANSFERS TO THE APPROPRIATE SALARY AND FRINGE BENEFIT ACCOUNTS TO FUND THIS AGREEMENT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #262

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
INGHAM COUNTY, MICHIGAN  
RESOLUTION SETTING HEARING DATE  
(QUALITY DAIRY CO. PROJECT)

WHEREAS, THIS CITY COUNCIL HAS HERETOFORE APPROVED A PROJECT AREA AND ESTABLISHED A PROJECT DISTRICT

AREA FOR THE QUALITY DAIRY CO. PROJECT (THE "PROJECT") OF THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING (THE "ISSUER"); AND

WHEREAS, SECTION 17 OF ACT NO. 338 OF THE MICHIGAN PUBLIC ACTS OF 1974, AS AMENDED (THE "ACT") AND THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE") REQUIRES THAT IN ORDER FOR BONDS TO BE ISSUED BY THE ISSUER TO ASSIST IN THE FINANCING OF THE PROJECT, THIS CITY COUNCIL CONDUCT A PUBLIC HEARING, AFTER NOTICE AND APPROVE THE ISSUANCE OF BONDS, ALL AS PROVIDED IN SAID ACT AND CODE; AND

WHEREAS, THIS CITY COUNCIL WISHES TO SET A DATE FOR A PUBLIC HEARING ON THE PROJECT PLAN FOR THE PROJECT PREPARED BY THE ISSUER.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

- ▶ 1. THE PUBLIC HEARING UPON THE ISSUANCE OF BONDS IN AGGREGATE FACE AMOUNT NOT TO EXCEED \$3,500,000 AND THE PROJECT PLAN FOR SAID PROJECT SHALL BE HELD AT 7 O'CLOCK P.M., ON THE 2ND DAY OF JUNE, 1997 IN THE CITY COUNCIL CHAMBERS, 10TH FLOOR, LANSING CITY HALL, LANSING, MICHIGAN. AT SUCH HEARING, THE CITY COUNCIL SHALL PROVIDE AN OPPORTUNITY FOR INTERESTED PERSONS TO BE HEARD AND SHALL RECEIVE AND CONSIDER COMMUNICATIONS IN WRITING WITH REFERENCE TO THE HEARING. THE HEARING SHALL PROVIDE THE FULLEST OPPORTUNITY FOR THE EXPRESSION OF OPINION, FOR ARGUMENT ON THE MERITS, AND FOR INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE PROPOSED BOND ISSUE AND THE PROJECT PLAN. THE GOVERNING BODY SHALL MAKE AND PRESERVE A RECORD OF THE PUBLIC HEARING, INCLUDING ALL DATA PRESENTED THEREAT.
- ▶ 2. THE CITY CLERK IS HEREBY REQUESTED TO PUBLISH, POST, AND MAIL NOTICE OF SUCH HEARING, SUCH NOTICE TO BE SUBSTANTIALLY IN THE FORM ATTACHED HERETO, IN ACCORDANCE WITH SECTION 17 OF THE ACT AND THE CODE.
- ▶ 3. THE CITY CLERK IS HEREBY REQUESTED TO FORWARD THREE (3) CERTIFIED COPIES OF THIS RESOLUTION TO THE SECRETARY OF THE ISSUER.
- ▶ 4. ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT WITH THIS RESOLUTION ARE HEREBY REPEALED, BUT ONLY TO THE EXTENT OF SUCH CONFLICT.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

NOTICE OF PUBLIC HEARING  
BEFORE THE CITY COUNCIL  
OF THE CITY OF LANSING

RELATING TO A PROJECT PLAN  
FOR THE ECONOMIC DEVELOPMENT CORPORATION  
OF THE CITY OF LANSING  
(QUALITY DAIRY CO. PROJECT)  
AND THE ISSUANCE OF  
LIMITED OBLIGATION REVENUE BONDS

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF LANSING WILL HOLD A PUBLIC HEARING AT 7 O'CLOCK, P.M., IN THE CITY COUNCIL CHAMBERS, 10TH FLOOR, CITY HALL, LANSING, MICHIGAN, ON THE 2ND DAY OF JUNE, 1997, ON A PROJECT PLAN PREPARED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING FOR ITS QUALITY DAIRY CO. PROJECT (THE "PROJECT"). THE PROJECT WILL INITIALLY BE OWNED BY QUALITY DAIRY CO., A MICHIGAN CORPORATION (THE "COMPANY"), OR A CORPORATION, PARTNERSHIP, JOINT VENTURE OR OTHER ENTITY IN WHICH STAN AND/OR ALAN MARTIN WILL BE AN OWNER, PARTNER, DIRECTOR OR HAVE SOME OTHER FORM OF OWNERSHIP INTEREST IN SUCH ENTITY. THE PROJECT CONSISTS OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN APPROXIMATELY 30,000 SQUARE FOOT MANUFACTURING FACILITY, TO BE USED BY THE COMPANY TO PROCESS AND PACKAGE FOOD GOODS, AND WILL BE LOCATED IN THE CITY OF LANSING, COUNTY OF INGHAM, STATE OF MICHIGAN (THE "PROJECT"). THE PROJECT WILL BE LOCATED IN AN AREA FRONTED BY DIAMOND REO WAY, WHICH LIES NORTH OF BAKER STREET, EAST OF WASHINGTON AVENUE AND WEST OF CEDAR STREET AND DESCRIBED AS: LOT 6, OF THE R.E. OLDS PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 48 OF PLATS, PAGE 35, 36 AND 37, CONTAINING 5.289 ACRES.

MAPS, PLATS, AND A DESCRIPTION OF THE PROPOSED PROJECT PLAN, INCLUDING THE METHOD OF RELOCATING FAMILIES AND INDIVIDUALS WHO WILL BE DISPLACED FROM THE AREA, IF ANY, ARE AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING, DEPARTMENT OF PLANNING & DEVELOPMENT, 316 N. CAPITOL AVENUE, LANSING, MICHIGAN, AND ALL ASPECTS OF THE PROPOSED PROJECT PLAN WILL BE OPEN FOR DISCUSSION AT THE PUBLIC HEARING, INCLUDING THE PROPOSED ISSUANCE OF LIMITED OBLIGATION REVENUE BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,500,000 BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING TO ASSIST IN THE FINANCING OF THE PROJECT. THE PROJECT PLAN CONTAINS FURTHER INFORMATION ABOUT THE ISSUANCE OF SUCH BONDS AND THE FINANCIAL PARAMETERS OF THE PROPOSED BOND ISSUE.

THE CITY COUNCIL WILL CONSIDER THE APPROVAL OF THE PROJECT PLAN AND THE PROPOSED BOND ISSUE ONLY AFTER THE PUBLIC HEARING HAS BEEN COMPLETED.

THE CITY COUNCIL SHALL PROVIDE AN OPPORTUNITY FOR INTERESTED PERSONS TO BE HEARD AND SHALL RECEIVE AND CONSIDER COMMUNICATIONS IN WRITING WITH REFERENCE TO THE HEARING. THE HEARING SHALL PROVIDE THE FULLEST OPPORTUNITY FOR EXPRESSION OF OPINION, FOR ARGUMENT

ON THE MERITS, AND FOR INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE PROPOSED PROJECT PLAN AND THE PROPOSED BOND ISSUE.

**RESOLUTION #263**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS; THE FRIENDS OF TURNER DODGE HAVE APPLIED TO THE CITY CLERK'S OFFICE FOR A PERMIT TO OPERATE A SHOW ON MAY 14, 1997 THROUGH MAY 17, 1997, UNDER THE PROVISIONS OF CHAPTER 860 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING; AND

WHEREAS; THE CITY CLERK'S OFFICE HAS REPORTED THAT ALL REQUISITE APPROVALS HAVE BEEN RECEIVED FROM CITY DEPARTMENTS;

NOW THEREFORE BE IT RESOLVED; THAT THE APPLICATION BY FRIENDS OF TURNER DODGE FOR A SHOW PERMIT TO CONDUCT A SHOW WITHIN THE CITY OF LANSING ON THE ABOVE SPECIFIED DATES IS HEREBY APPROVED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY MATTERS

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SPOKE IN SUPPORT OF THE DEMANDS OF THE MARCH FOR JUSTICE FOR JUSTICE AND BASIC HUMAN AND CIVIL RIGHTS. PEOPLE OF COLOR SEE RACISM AND PREJUDICE ON THE JOB EVERY DAY. THIS IS TERRIBLE TO SEE, ESPECIALLY WHEN YOU SEE IT IN PUBLIC OFFICE. THIS IS WHY THEY ARE MARCHING FOR A CITIZENS REVIEW BOARD. THEY WILL BOYCOTT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE THAT IS SCHEDULED TO BE HELD AT RIVERVIEW PLANE ON MAY 28, 1997.

THOMAS HERNLY OF 3425 PALMER ST. SPOKE REGARDING THE CO-MINGLING OF STORMWATER ENTERPRISE FUNDS WITH OTHER SEWER FUNDS. THEY WANT A FULL AUDIT OF THE RECEIPTS AND EXPENSES OF THE STORMWATER ENTERPRISE FUNDS, AND OF THE SEWAGE SYSTEM FUNDS.

MELANIE ROGERS OF 409 W. WILLOW STATED THAT SHE HAS FINISHED THE BACK SIDING ON HER HOUSE. THEY TOOK THE SCAFFOLDING DOWN LAST NIGHT. SHE COMPLAINED ABOUT PROBLEMS THEY HAVE HAD WITH THE BUILDING SAFETY DIVISION DURING THE RENOVATION OF THEIR HOME. SHE ASKED FOR AN ORGANIZATIONAL CHART OF THIS DIVISION. WHICH INSPECTOR HAS PRECEDENCE? IS THE CODE COMPLIANCE OFFICER OVER THE ELECTRICAL INSPECTOR, OR THE BUILDING INSPECTOR, OR THE PLUMBING INSPECTOR, OR THE MECHANICAL INSPECTOR. DOES THE PROSECUTOR'S OFFICE HAVE THE RIGHT TO DROP A STUPID TICKET? DOES DOLORES FULLER HAVE MORE

POWER THAN OTHER INSPECTORS? IF THE COUNCIL WANTS THE CITIZENS OF LANSING TO INVEST IN THEIR HOMES AND MAKE RENOVATIONS TO THEM, THE CODE COMPLIANCE OFFICE SHOULD KNOW ABOUT THIS TOO.

KELLY PROPER OF 111 E. CAVANAUGH SAID THAT SHE HAS SUCCESSFULLY COMPLETED HER CAMPAIGN TO DOUBLE THE FINES FOR TRAFFIC VIOLATIONS IN SCHOOL ZONES, DURING SCHOOL HOURS. THIS INCLUDES PUBLIC AND PRIVATE SCHOOLS AND EXTENDS FROM 1/2 HOUR PRIOR TO THE START OF CLASSES TO 1/2 HOUR AFTER CLASSES HAVE STOPPED. THIS WILL IMPROVE SAFE PASSAGE TO AND FROM SCHOOL FOR OUR CHILDREN.

ALEX BOLT OF 1230 REO RD. SAID THAT THE CITY OF KALAMAZOO PLACED THE "RAIN TAX" ON THE BALLOT TWICE, AND IT WAS DEFEATED BY THE VOTERS. GRAND RAPIDS PLACED IT ON THE BALLOT IN 1993 AND IT WAS DEFEATED. HE MADE ACCUSATIONS THAT COUNCIL IS PERPETUATING FRAUD ON A NATIONAL SCALE, BECAUSE OF FALSE STATEMENTS THAT WERE INCLUDED IN THE APPELLATE COURT DECISION.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, MI SAID THAT SHE WILL BE PRESENT AT THE FIVE YEAR REVIEW MEETING ON THE NPDES PERMIT TOMORROW NIGHT AT THE SOUTH SIDE POLICE PRECINCT. SHE STATED THAT SHE DOES NOT SUPPORT PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE BALLOT.

RUTH PEOPLES OF 1010 HICKORY SAID THAT SHE HAS BEEN SITTING AT HOME FOR 3 1/2 MONTHS WATCHING DIFFERENT PEOPLE BASHING CITY COUNCILMEMBERS AND MAYOR HOLLISTER. SHE STATED HER PRIDE IN LANSING AND HER CITIZENSHIP. WE NEED TO HAVE OUR ROADS FIXED, BUT PEOPLE MUST GIVE THE MAYOR AND THE COUNCIL AND OPPORTUNITY TO FIX THESE THINGS. THEY WILL GET THEM DONE. THEY HAVE ALREADY GOTTEN A LOT OF THINGS DONE.

KURT KUNKLEMAN OF 324 S. HAYFORD SPOKE IN SUPPORT OF THE CITIZENS REVIEW BOARD. HE THANKED COUNCILMEMBER LILLY FOR GETTING THE BALL ROLLING ON THE DIAMOND CLASSIC.

MARSHALL J. TAPPAN OF 4161 WOODCREEK LN. SAID THAT HE WENT TO BED AND WOKE UP WITH A BIG TAX THAT NO ONE SEEMS TO KNOW ANYTHING ABOUT, EXCEPT CITY COUNCIL. THE FEDERAL GOVERNMENT HAS NOTHING TO DO WITH THIS. IT IS ALL CITY COUNCIL. RESIDENTS IN LANSING HAVE NO SAY. THEY HAVE GIVEN IT COMPLETELY OVER TO THE MAYOR AND THE CITY COUNCIL.

AMMAHAD SHEKARAKKI OF 902 WILLOW SAID THAT HE HOPES EVERYONE ENJOYED MOTHER'S DAY ON SUNDAY. HE DESCRIBED THE UNITED STATES AS THE "MOST RACIST COUNTRY IN THE WORLD," SAYING THAT "IT IS A COUNTRY WHERE YOU ARE HATED AND DISCRIMINATED AGAINST BECAUSE OF THE COLOR OF YOUR SKIN." EVERYONE ACKNOWLEDGES THE NEED FOR A CITIZENS REVIEW BOARD, BUT BECAUSE IT LOOKS LIKE IT MIGHT HELP BLACK PEOPLE, THEY OPPOSE IT. IT IS TIME FOR BLACKS TO WAKE UP.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. SPOKE IN SUPPORT OF MAYOR HOLLISTER'S PROPOSAL FOR AN "ADOPT A SCHOOL" PROGRAM. THIS WILL BE SET UP IN WARD 4 AT NORTHWESTERN SCHOOL. THERE EXISTS IN WARD 4, A LARGE GAP BETWEEN THE HAVES AND THE HAVE NOTS, AND THAT IS WHY HE DECIDED TO RUN IN THIS WARD.

LLOYD TEETS OF 116 E. ELM ST. PREDICTED ANOTHER CHARTER REVISION. THIS TIME FOR THE CREATION OF A CITIZENS REVIEW BOARD.

ALBERTA JORDAN, NO ADDRESS GIVEN, APPEALED TO ALL YOUNG PEOPLE TO HELP HER MAKE A DIFFERENCE. PLEASE GET OUT AND REGISTER TO VOTE SO THAT THEY CAN VOTE TO ESTABLISH A CITIZENS REVIEW BOARD.

ED SIMMER OF 2609 DIER STATED HIS OPPOSITION TO GOVERNOR ENGLER'S PROPOSED GAS TAX INCREASE. HE URGED THE LISTENING AUDIENCE TO OPPOSE IT ALSO. ALL IT WILL DO IS CREATE WINNERS AND LOSERS. THE STATE OF MICHIGAN HAS A \$1,000,000,000 SLUSH FUND. WE SHOULD BE USING 1/2 OF IT TO FIX THE ROADS.

REVEREND LESTER STONE, NO ADDRESS GIVEN, ASKED MR. WIENER IF ALL OF THE MEMBERS OF THE MARCH FOR JUSTICE PLANNING COMMITTEE WERE CALLED AND TOLD ABOUT THE MAY 31, 1997 DATE FOR THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE PRIOR TO IT BEING SET. DID THE HOLLISTER ADMINISTRATION WRITE THE LANGUAGE ON EXCESSIVE FORCE IN THE POLICE PROCEDURES MANUAL? WHO CHOSE THE GUEST SPEAKER FOR THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE? HOW MANY CONFERENCES HAS THE CITY OF LANSING HELD AT RIVERVIEW PLACE? WHY WAS THE HOUSING FAIR HELD AT THE LANSING CENTER? WHY WAS THE SAFETY CONFERENCE HELD AT THE LANSING CENTER? WHY ARE ALL CITY SPONSORED EVENTS HELD AT THE LANSING CENTER, AND THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE IS SCHEDULED FOR RIVERVIEW PLACE? THIS IS ALL VERY SUSPICIOUS.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #264 REPORT OF COMMITTEE

BY THE COMMITTEE ON PUBLIC SAFETY, TO WHOM WAS REFERRED BY THE MAYOR THE RECOMMENDATION FROM THE TRAFFIC BOARD AND TRANSPORTATION DIVISION A REQUEST FOR A PARKING REGULATION CHANGE FOR METERED PARKING FOR AREAS IN THE CHESTNUT AREA METER PLAN.

REPORTS AS FOLLOWS: THE COMMITTEE HAS REVIEWED THE REPORT FROM THE ADMINISTRATION. AFTER DELIBERATION ON THE REQUEST AND ACKNOWLEDGING THE SITUATION OF THE POOR TURNOVER IN PARKING IN ADDITION TO THE PROBLEM OF SCHOOL DISTRICT EMPLOYEES PARKING IN THE STREET INSTEAD OF THE PARKING LOT PROVIDED BY THE SCHOOL DISTRICT, THE COMMITTEE DETERMINED TO TAKE NO ACTION AT THIS TIME.

FURTHERMORE, THE COMMITTEE ON PUBLIC SAFETY RECOMMENDS THAT THE SCHOOL DISTRICT ENCOURAGE THEIR EMPLOYEES PARK IN THEIR EXISTING PARKING LOT AND PROVIDE NOTIFICATION THEREOF. THE COMMITTEE IS WILLING TO REVISIT THIS MATTER IF THE SITUATION IS NOT RESOLVED.

SIGNED: SANDY ALLEN  
TONY BENAVIDES  
PAUL NOVAK

BY COUNCILMEMBER ALLEN:

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

MAY 12, 1997

## CITY OFFICERS & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL: WRECKER SERVICE; O'DONNELL'S REPAIR, INC. SHROYER'S & CENTRAL TOWING, INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

A. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

B. LETTER FROM THE CITY CLERK SUBMITTING LOCAL GOVERNMENT 15-DAY NOTICE FROM THE LIQUOR CONTROL COMMISSION, ADVISING THE CITY OF APPLICATION FOR A NEW SDM LICENSE AT 2200 W. HOLMES BY JUNE K. KRAUSE

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. LETTER FROM COUNCIL PRESIDENT BEAL TO PARKS & RECREATION DIRECTOR R. ERIC REICKEL REGARDING THE INGHAM COUNTY DRAIN COMMISSIONER'S PLANS FOR BANCROFT PARK

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. LETTER OF APPRECIATION FROM JAMES E. PERSON, CHAIR OF THE BOARD OF POLICE COMMISSIONERS FOR THE BUDGET REVIEW OF THE LPD ON SATURDAY MAY 3, 1997

RECEIVED AND PLACED ON FILE

5. LETTERS FROM THE CITY ATTORNEY RE:

A. DAVID MILLER AND SAMUEL HOPKINS V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. PETITION TO STRIKE FROM THE TAX ROLES FILED BY THE LANSING CITY TREASURER

RECEIVED AND PLACED ON FILE

6. LETTERS FROM THE MAYOR RE:

A. PUBLIC IMPROVEMENT; PROPOSED REVISION OF PUBLIC IMPROVEMENTS PLANNED FOR MT. HOPE AVE. RECONSTRUCTION

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. PLANNING BOARD AFFIRMATIVE SUPPORT FOR THE NEIGHBORHOOD ENTERPRISE ZONE PROPOSALS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

C. LETTER OF CONGRATULATIONS FROM REPRESENTATIVE MARTINEZ ON THE TRANSPORTATION GRANT AWARD

RECEIVED AND PLACED ON FILE

D. LETTER OF APPRECIATION FROM MATTIE BROOKS TO LPD OFFICER APRIL NORWOOD

RECEIVED AND PLACED ON FILE

E. PUBLIC IMPROVEMENT III, CAVANAUGH RD. FROM AURELIUS RD. TO PENNSYLVANIA AVE.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. CITATION OF MERIT PRESENTED TO FIRE STATION #8 FROM THE LADIES AUXILIARY OF THE VFW POST #4152

RECEIVED AND PLACED ON FILE

G. REQUEST FROM HDC, INCORPORATED FOR A PAYMENT IN LIEU OF TAXES (P.I.L.O.T.) FOR CEDAR PARK APARTMENTS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS  
**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

I. LETTER FROM THE INGHAM COUNTY BOARD OF COMMISSIONERS REGARDING FUNDING FOR THE INGHAM COUNTY/CITY OF LANSING CONSOLIDATED COURTS FACILITY

REFERRED TO THE COMMITTEE OF THE WHOLE, THE

COMMITTEE ON DEVELOPMENT AND PLANNING AND THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

2. LETTER FROM CHRISTINE TIMMONS REGARDING THE MARCH FOR JUSTICE AND CONGRESSWOMAN DEBBIE STABENOW

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. LETTER FROM CONTINENTAL CABLEVISION REGARDING THE ADDITION OF THE ANIMAL PLANET STATION TO ITS SATELLITE TIER

RECEIVED AND PLACED ON FILE

4. LETTER FROM HELEN FISER REQUESTING INFORMATION ABOUT THE INTENT OF THE PUBLIC HEARING TO BE HELD AT THE NORTH SIDE POLICE PRECINCT ON MAY 13, 1997 TO ACCEPT COMMENTS ON AMENDMENT #1 TO THE CSO CONTROL FACILITIES

REFERRED TO THE MAYOR

5. CONTINENTAL CABLEVISION OPPOSITION TO PETITION FOR SPECIAL RELIEF FILED WITH THE FEDERAL COMMUNICATIONS COMMISSION RE: HORIZON BROADCASTING CORPORATION

RECEIVED AND PLACED ON FILE

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER ALLEN COMMENTED REGARDING THE TRAFFIC DIFFICULTIES BEING EXPERIENCED IN SCHOOL AREAS, PARTICULARLY AT CAVANAUGH SCHOOL, BY PARENTS WHO ARE DROPPING OFF AND PICKING UP THEIR CHILDREN. THE TRANSPORTATION DEPARTMENT HAS BEGUN TO IMPLEMENT PLANS TO EXPAND THE PARKING LOT AT CAVANAUGH SCHOOL BY 40 PARKING SPACES. ALSO, THEY WILL ENLARGE THE TURN-AROUND AREA FOR SCHOOL BUSES. THIS WILL ALLEVIATE A LOT OF THE CONGESTION DURING DROP OFF AND PICK-UP, WHICH IS A VERY BIG PROBLEM AT THAT SCHOOL. SHE SENT CONDOLENCES TO ED SIMMER ON THE DEATH OF HIS SISTER IN-LAW. SHE READ THE FOLLOWING LETTER INTO THE RECORD OF THE MEETING.

CHIEF GREG MARTIN  
CITY OF LANSING FIRE DEPARTMENT  
120 E. SHIAWASSEE  
LANSING, MI 48933

DEAR CHIEF MARTIN:

ON THURSDAY, MAY 1, I WAS INVOLVED IN A COLLISION AT THE INTERSECTION OF N. GRAND AND MICHIGAN, WHEN THE JEEP CHEROKEE I WAS DRIVING WAS BROADSIDED BY A DRIVER WHO RAN A RED LIGHT. MY CAR ROLLED OVER AND LANDED ON ITS ROOF. AS THE PHOTOGRAPH I HAVE ENCLOSED DEPICTS, THIS WAS A TERRIBLE ACCIDENT THAT COULD HAVE RESULTED IN LOSS OF LIFE FOR ANY OF US INVOLVED.

*THE RESCUE TEAM THAT RESPONDED WAS NOTHING SHORT OF MAGNIFICENT. LT. RANDY JOHNSON, ENG. ORVILLE HUFF, ENG. MATT PEACOCK AND FIRE FIGHTER BRUCE ODOM ARRIVED IMMEDIATELY AND BEGAN WORKING TO GET ME OUT OF THE WRECKAGE. EMT LAMAR BOWERS AND PARAMEDIC MIKE MULDER CALMED ME WITH THEIR WORDS OF ENCOURAGEMENT AND COMFORT. THEIR PROFESSIONALISM AND HUMANITY WERE EXEMPLARY. I WILL FOREVER BE IN THEIR DEBT.*

*AS AN ATTORNEY WHO HAS REPRESENTED VARIOUS STATE AGENCIES, INCLUDING THE STATE POLICE, I HAVE LONG BEEN AWARE OF THE DEDICATION AND COURAGE OF THOSE WHO CHOOSE A CAREER IN PUBLIC SAFETY. NOW THAT I HAVE EXPERIENCED, FIRSTHAND, THE ESSENTIAL SERVICE THESE PROFESSIONALS PROVIDE TO A COMMUNITY, I CAN ONLY MARVEL AT WHAT THEY MEAN TO EACH AND EVERY ONE OF US.*

*YOU MUST TAKE GREAT PRIDE IN THE CALIBER OF THE MEN AND WOMEN WHO SERVE SO WELL, SO THAT WE, THE CITIZENS, CAN BE SECURE AND SAFE IN OUR DAILY LIVES. I SALUTE YOU ALL FOR BEING THE HEROES YOU TRULY ARE. YOU HAVE MY DEEPEST AND MOST HEARTFELT THANKS.*

*SINCERELY,  
CHRISTINE DERDARIAN  
6952 SANDALWOOD DR.  
BLOOMFIELD HILLS, MI 48301*

*C MAYOR DAVID HOLLISTER  
CPT. RAY ENRIGHT  
LANSING FIRE FIGHTERS LOCAL 421*

COUNCILMEMBER BENAVIDES COMMENTED ABOUT THE LETTER FROM THE TIFA BOARD, REGARDING THE PROPOSAL FOR NEIGHBORHOOD ENTERPRISE ZONES. WHY IS THIS CORRESPONDENCE JUST GETTING TO THEM? THE MEETING REFERENCED IN THIS LETTER WAS HELD TWO MONTHS AGO ON MARCH 18TH. ADDITIONALLY, THE LETTER DOES NOT GIVE ANY INFORMATION ABOUT WHERE THE ZONES ARE, NOR DOES IT DESCRIBE THE ZONES. COUNCILMEMBERS STILL DO NOT HAVE ANYTHING SHOWING WHAT, OR WHERE, THE ZONES ARE IN THEIR NEIGHBORHOODS.

COUNCILMEMBER NOVAK REMINDED THE AUDIENCE THAT THE DEADLINE FOR FILING FOR CITY ELECTIVE OFFICE IS TOMORROW, TUESDAY, MAY 13, 1997 AT 4:00 P.M. IN THE CITY CLERK'S OFFICE ON THE NINTH FLOOR. APPLICANTS MAY CHOSE BETWEEN THE OPTIONS OF FILING NOMINATING PETITIONS, OR PAYING A \$100.00 FILING FEE.

COUNCILMEMBER BAUER REPORTED THAT SHE HAS BEEN TAKING THE POLICE ACADEMY CLASSES. THEY ARE VERY INTERESTING CLASSES, PARTICULARLY THE ONES DEALING WITH THE K-9 SQUAD AND THE USE OF FORCE TO RESTRAIN SUSPECTS. THIS PROGRAM IS A WONDERFUL OPPORTUNITY TO GAIN INFORMATION ON LPD POLICIES AND PROCEDURES. THERE IS ANOTHER COURSE BEING HELD IN THE FALL. SHE EXPRESSED HER SYMPATHY TO THE FAMILY OF TONY MEYER

WHO HAS PASSED AWAY. SHE ANNOUNCED AN ADULT CROSSING GUARD APPRECIATION DINNER TO BE HELD THIS WEDNESDAY. SHE THANKED THE ADULTS WHO SERVE IN THIS CAPACITY. THIS IS A GREAT SERVICE TO CHILDREN AND THEIR SAFETY. SHE MET WITH THE TRANSPORTATION DEPARTMENT TO DEAL WITH ISSUES OF SAFETY AT THE INTERSECTION OF MOORES RIVER DRIVE AND WAVERLY RD.

COUNCILMEMBER LILLY ANNOUNCED THAT THE COMMITTEE ON DEVELOPMENT AND PLANNING WILL TAKE UP THE ISSUE OF THE PRD ON MARTIN LUTHER KING, JR. BLVD. AT THEIR REGULAR MEETING TOMORROW. MANY RESIDENTS AND BUSINESSES HAVE EXPRESSED CONCERNS ABOUT THIS PROPOSAL. THEY ARE REQUESTED TO ATTEND THIS MEETING. THEY WILL ALSO TAKE UP THE ISSUE OF THE REZONING OF 4720 S. CEDAR.

COUNCILMEMBER JONES ADVISED THE AUDIENCE TO READ TODAY'S ARTICLES IN THE STATE JOURNAL ON THE SEVEN BLOCK DEVELOPMENT PLAN. THEY WILL EXPLAIN WHY A LOT OF PEOPLE GET SO FRUSTRATED WITH GOVERNMENT. THIS PROJECT HAS BEEN GOING FOR NINE YEARS NOW AND THERE ARE NO CONCRETE PLANS IN SIGHT. HE HOPES THE PLANNING DEPARTMENT CAN GET THIS PROJECT ON THE ROAD TO COMPLETION.

COUNCILMEMBER LEEMAN REPORTED THAT THE CLASSIC CAT PROPERTY WILL BE DEMOLISHED WITHIN 60 DAYS.

COUNCILMEMBER BEAL COMPLIMENTED HEATHER MORGAN OF THE LANSING STATE JOURNAL FOR HER ARTICLE ON THE MOTOR WHEEL SUPERFUND SITE. SHE REPORTED THAT THE TRAFFIC BOARD WILL TAKE UP THE CLEMENS ST. ISSUE AT THEIR NEXT MEETING ON WEDNESDAY. IF YOU ARE INTERESTED, PLEASE ATTEND, THE MEETING WILL BE HELD AT THE N. GRAND RAMP. THE COMMITTEE OF THE WHOLE MEETING WILL BE HELD AT 3:00 THIS THURSDAY, RATHER THAN 4:00, THEY WILL REVIEW THE BUDGET RESOLUTION.

CITY CLERK SLADE REITERATED COUNCILMEMBER NOVAK'S COMMENTS WITH REGARD TO THE DEADLINE FOR FILING FOR CITY ELECTIVE OFFICE. SHE ANNOUNCED THAT A NEW REQUIREMENT FOR FILING, THIS YEAR, IS THAT YOU PROVIDE PROOF OF CITIZENSHIP. THIS CAN TAKE THE FORM OF A BIRTH CERTIFICATE, A PASSPORT, OR NATURALIZATION PAPERS.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER COMMENTED THAT THERE IS ROOM FOR A CERTAIN AMOUNT OF WIT AND CRITICISM IN OUR COMMENTS, BUT WE NEED TO BE CAREFUL ABOUT CROSSING THE LINE AND MAKING INSULTS TO PEOPLE. THERE SEEM TO BE A LOT OF INSULTS GOING BACK AND FORTH IN THESE CHAMBERS. PERSONAL INSULTS SHOULD NOT BE USED, PARTICULARLY IN THIS SETTING, IT DOES NOT LEAD TO GOOD COMMUNICATIONS OR COOPERATION WITH EACH OTHER.

HE RESPONDED TO QUESTIONS ADDRESSED TO HIM BY REVEREND STONE, SAYING, THAT HE IS NOT COMFORTABLE WITH TRYING TO ANSWER ALL OF THESE QUESTIONS TONIGHT,

WITHOUT RESEARCHING THEM, HOWEVER, HE WILL ANSWER THE QUESTIONS THAT HE CAN TONIGHT AND PROVIDE THE OTHER ANSWERS TO REVEREND STONE LATER.

MAYOR HOLLISTER APPOINTED ART WALKER TO WORK WITH THE MARCH FOR JUSTICE AND DEVELOP THE POLICE AND COMMUNITY RELATIONS CONFERENCE, SINCE THAT TIME HE HAS NOT HAD SUFFICIENT INVOLVEMENT WITH THE PLANNING COMMITTEE FOR HIM TO BE ABLE TO ANSWER THE FIRST AND SECOND QUESTIONS HERE TONIGHT.

MAYOR HOLLISTER DID NOT WRITE THE LANGUAGE WITH REGARD TO THE USE OF EXCESSIVE FORCE IN POLICE DEPARTMENT POLICIES AND PROCEDURES MANUAL THIS LANGUAGE WAS WRITTEN BY COMMITTEE.

THE PLANNING COMMITTEE CHOSE THE SPEAKER FOR THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE.

LIKewise, THE COMMITTEE CHOSE THE SITE OF THE CONFERENCE.

HE IS NOT AWARE OF ANY CITY SPONSORED EVENTS THAT HAVE BEEN HELD AT RIVERVIEW PLACE, HOWEVER THIS FACILITY JUST BECAME AVAILABLE FOR THESE TYPES OF ACTIVITIES, SINCE IT IS NOW AVAILABLE THERE WILL PROBABLY BE OTHER EVENTS SCHEDULED THERE IN THE FUTURE. THIS IS NOT A NEW CONCEPT OR PRACTICE.

WHY WAS THE HOUSING FAIR AND OTHER EVENTS HELD AT THE LANSING CENTER? THE LANSING CENTER IS USED BY VARIOUS CONFERENCES, BUT NOT EVERYTHING THAT THE CITY SPONSORS IS HELD THERE.

HE RECOGNIZES THE FACT THAT EVERYONE IS NOT IN AGREEMENT WITH RESPECT TO THE CONFERENCE, NOT EVERYONE IS PLEASED WITH THE DATE, AND NOT EVERYONE IS PLEASED WITH THE PLACE AND TIME. THIS IS UNFORTUNATE, BUT THE PEOPLE ORGANIZING THE CONFERENCE HAVE CHOSEN TO GO AHEAD WITH THEIR PLANS. HE HOPES THAT WE ALL LEARN FROM THIS EXPERIENCE.

COUNCIL PRESIDENT BEAL ASKED MR. WIENER HOW MUCH MONEY THE CITY IS COMMITTING TO THE CONFERENCE. SHE, TOO, IS OPPOSED TO THE DATE OF THE CONFERENCE, AND FEELS THAT IT SHOULD BE DELAYED UNTIL THE FALL.

**ADJOURNED 9:20 P.M.**

**MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MAY 19, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF MAY 5, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER JONES; A RESOLUTION APPROVING A TRANSFER OF FUNDS FOR CITY COUNCIL OVERTIME
2. FROM COUNCILMEMBER ALLEN; A LETTER FROM JANICE TOLBERT OF 4318 McDUGAL REGARDING CODE COMPLIANCE CITATIONS SHE RECEIVED
3. FROM COUNCILMEMBER ALLEN; 76 PETITION SIGNATURES FROM RESIDENTS OF NORTHRUP ST. OPPOSING THE CONSTRUCTION OF CURB & GUTTER, STORM SEWER AND SIDEWALK IMPROVEMENTS ON NORTHRUP ST.
4. FROM COUNCILMEMBER LEEMAN; A RESOLUTION APPROVING APPLICATION FOR A GRANT FOR CRITICAL BRIDGE FUNDING FROM THE MICHIGAN DEPARTMENT OF TRANSPORTATION
5. FROM COUNCILMEMBER BAUER; A RESOLUTION REGARDING THE USE OF COUNCILMEMBER COMMUNITY & PROMOTION ACCOUNT FUNDS FOR THE PURCHASE OF ALCOHOLIC BEVERAGES

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS

COUNCILMEMBER LILLY ANNOUNCED THAT THE DEVELOPMENT AND PLANNING COMMITTEE WILL BE HELD ONE HOUR EARLY TOMORROW. THEY WILL MEET AT 3:00 P.M., RATHER THAN 4:00 P.M., ADDITIONALLY, THERE WILL BE NO COMMITTEE OF THE WHOLE MEETING THIS WEEK. THEY (COMMITTEE OF THE WHOLE) WILL TAKE UP THE ISSUE OF PRD-01-97 NEXT WEEK, BECAUSE OF THE CANCELLATION OF THIS WEEK'S MEETING.

COUNCILMEMBER JONES INFORMED THE PUBLIC THAT THE SCHOOL DISTRICT CLASS ON HORTICULTURE AND LANDSCAPING WILL BE DOING SOME RENOVATIONS AROUND THE OUTSIDE OF THE CITY MARKET.

COUNCILMEMBER ALLEN PASSED ON AN INVITATION FROM THE MEMBERS OF CARTO (CITIZENS TO ABOLISH THE RAIN TAX ORDINANCE) TO THEIR MEETING THIS WEDNESDAY, MAY 21, 1997 AT GARDNER MIDDLE SCHOOL. SHE ANNOUNCED A "PRAYER BREAKFAST" AT THE HOLIDAY IN SOUTH ON THURSDAY, MAY 22, 1997.

► SPECIAL CEREMONIES

A. SUZY CARTER OF THE LANSING AREA SAFETY COUNCIL ANNOUNCED THEIR ANNUAL POLICE AND FIRE FIELD DAY AND SAFETY PATROL PICNIC TO BE HELD THIS WEDNESDAY AT FRANCES PARK. THEY ARE EXPECTING 4,000 SAFETY PATROLLERS. SHE URGED COUNCIL'S ATTENDANCE AND HELP WITH THE EVENT. THERE WILL BE SEVERAL FORMER POLICE CHIEFS AND FIRE CHIEFS IN ATTENDANCE. AT 11:00 A.M. THEY WILL ANNOUNCE THE SAFETY PATROL OF THE YEAR.

B. MAYOR HOLLISTER, ALONG WITH GUILLERMO LOPEZ OF THE HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT PRESENTED CERTIFICATES OF APPRECIATION TO WINNERS OF THE FAIR HOUSING MONTH POSTER AND ESSAY CONTEST. THE STUDENTS READ A POEM ENTITLED "PEOPLE ARE PEOPLE THE SHADES OF HUMANITY", WRITTEN BY PATRICIA B. MURPHY.

C. MAYOR HOLLISTER PRESENTED A PROCLAMATION DECLARING MAY 23 THROUGH MAY 27, 1997 AS CRISTO REY FIESTA DAYS.

D. MAYOR HOLLISTER PRESENTED A PROCLAMATION REGARDING NEIGHBORHOOD PRIDE WEEK TO JUANITA MITCHELL, PRESIDENT OF THE LANSING NEIGHBORHOOD

COUNCIL AND A MEMBER OF THE BLUE RIBBON PANEL ON EDUCATION. MRS. MITCHELL ANNOUNCED AN OPEN HOUSE AT 300 W. LENAWEE ON JUNE 12, 1997 FROM 4:00 - 6:00 P.M.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### **► PUBLIC COMMENT ON PUBLIC HEARINGS**

##### **1. IN CONSIDERATION OF THE QUALITY DAIRY CO. PROJECT**

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING, AND IT WAS ANNOUNCED BY CITY CLERK SLADE THAT THIS HEARING HAS BEEN RESCHEDULED FOR JUNE 2, 1997

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. IN CONSIDERATION OF Z-04-97; 1901 AND 1919 S. M.L. KING BLVD., AND 1025, 1029 AND 1037 W. MT. HOPE AVE., AND 1028, 1032 AND 1036 LENORE AVE., PETITION FOR REZONING FROM "B" RESIDENTIAL, "F" COMMERCIAL AND "J" PARKING DISTRICT TO "F" COMMERCIAL DISTRICT TO ALLOW FOR THE SITE TO BE CLEARED OF SEVEN HOUSES AND ONE BUSINESS AND CONSTRUCTION OF A RETAIL ESTABLISHMENT

LUCILLE ALFORD OF 1016 LENORE SPOKE IN OPPOSITION TO THIS REZONING. THIS COMPANY CANNOT CLAIM THAT THIS PROPOSAL WILL NOT AFFECT TRAFFIC IN THIS NEIGHBORHOOD.

J.C. RINGENBERG OF 1013 MT. HOPE STATED HER OPPOSITION TO THIS REZONING REQUEST. SHE ASKED THE PEOPLE IN ATTENDANCE TONIGHT FOR THE PURPOSE OF OPPOSING THIS PETITION TO STAND. APPROXIMATELY 14 PEOPLE STOOD IN A SHOW OF OPPOSITION.

JOHN MCPHERSON OF 1208 LENORE SPOKE IN OPPOSITION TO THIS REZONING.

MIKE ZDEBSKI OF 1024 POXSON STATED HIS OPPOSITION TO THIS PROPOSAL AND SUBMITTED A LETTER OPPOSING THE REZONING FROM CONSTANCE KECK OF 1012 COOPER STREET.

LLOYD TEETS OF 116 E. ELM ST. STATED THAT HE HAS DECIDED TO REVERSE HIS OPINION AND SPEAK OUT IN OPPOSITION TO THIS REZONING. HE DESCRIBED THE APPLICANT FOR THIS REZONING AS A "HIGH HANDED, LARGE CORPORATION THAT HAS COME INTO THIS CITY AND SAID THAT THEY WANT THESE THREE LOCATIONS AND HAVE THREATENED THE CITY THAT THEY WILL NOT BUILD ANYTHING HERE IF THEY DO NOT GET THE LOCATIONS THEY WANT."

REBECCA TAYLOR OF 1113 LENORE STATED HER OPPOSITION TO THIS REZONING, AND SUBMITTED A LETTER LISTING THE REASONS FOR HER OPPOSITION.

#### **► PUBLIC COMMENT ON LEGISLATIVE MATTERS**

JIM BANKER OF 204 E. SYRINGA SPOKE IN SUPPORT OF THE REZONING OF 4720 S. CEDAR ST. TO PROFESSIONAL OFFICE.

VERNON BURGESS OF 122 E. SYRINGA DR. STATED HIS SUPPORT FOR THE REZONING OF Z-18-96, 4720 S. CEDAR ST. TO PROFESSIONAL OFFICE.

SHARON KELLOGG OF 421 W. IONIA SPOKE IN SUPPORT OF THE DENIAL OF THE REZONING PETITION FOR 519 N. CHESTNUT ST.

STEPHANIE WHITBECK OF 620 W. IONIA, LAND USE CHAIRMAN OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION SPOKE IN SUPPORT OF THE DENIAL OF Z-02-97 AT 519 N. CHESTNUT. SHE SAID THAT BUSINESSES EXIST TO SERVE RESIDENTS AND SHOULD NOT BE ALLOWED TO DOMINATE THEM.

BOB COCHRAN OF 403 N. SYCAMORE, PRESIDENT OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION, AND A MEMBER OF THE GENESEE NEIGHBORHOOD ASSOCIATION, AS WELL AS A MEMBER OF THE BOARD OF DIRECTORS OF THE LANSING NEIGHBORHOOD COUNCIL AND THE BOARD OF DIRECTORS OF THE TURNER DODGE MANSION SPOKE IN SUPPORT OF THE DENIAL OF Z-02-97 FOR 519 N. CHESTNUT.

PAUL MARKS OF 333 N. WAVERLY IN EATON RAPIDS, SAID THAT HE OWNS THE PROPERTY AT 517 N. CHESTNUT. HE SUPPORTS THE DENIAL OF THIS REZONING PETITION. THIS PROPERTY HAS BEEN OPERATED AS AN OFFICE SETTING, IN VIOLATION OF THE CODE OF ORDINANCES, FOR THE LAST TWO YEARS. THIS HAS PLACED A GREAT STRAIN ON THE PARKING SITUATION IN THIS AREA. HE URGED COUNCIL TO UPHOLD THE PROVISIONS OF THE RIVERPOINT AREA MASTER PLAN BY DENYING THIS REQUEST.

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN SUPPORT OF THE DENIAL OF Z-02-97 FOR 519 N. CHESTNUT. HE OBJECTED TO THE \$20,000,000 APPROPRIATED FOR ADMINISTRATIVE SERVICES IN THE FY 97-98 BUDGET. THE RESIDENTS DO NOT KNOW HOW MUCH IT REALLY COSTS TO RUN ANY DEPARTMENT IN THE CITY, AND UNTIL THEY KNOW HOW MUCH THAT COSTS, THIS BUDGET SHOULD NOT BE APPROVED. HE STATED HIS OPPOSITION TO THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN AND THE FOURTH AMENDED DEVELOPMENT PLAN. THERE WAS NOT INFORMATION AVAILABLE TO THE PUBLIC AT THE TIME OF THE PUBLIC HEARING ON THIS ISSUE. THERE WAS NO DISCLOSURE AS TO HOW MUCH WE WILL BOND FOR. THIS IS FRAUD. HE URGED ALL RESIDENTS TO WATCH WHO VOTES FOR THIS PROJECT TONIGHT.

REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH AT 1603 W. KALAMAZOO STATED HIS CONCERN OVER THE TWO NEW POSITION THAT ARE BEING FUNDED IN THE POLICE DEPARTMENT AS PART OF THE BUDGET ADOPTION. THE PRESENCE OF THESE TWO POSITIONS SAYS SOMETHING ABOUT THE IMPACT THAT THE MARCH FOR JUSTICE HAS HAD, AND IS STILL HAVING ON THE

CITY ADMINISTRATION AND THE CITY COUNCIL. HE DESCRIBED THE POLICE DEPARTMENT AS A "BAD ENGINE THAT NEEDS A TOTAL OVER-HAUL".

RUSSELL TERRY OF 121 E. MT. HOPE SAID THAT HE DROVE BY 1626 ROSENEATH, WHICH IS THE PROPOSED LOCATION OF A NEW CITY PUMPING STATION. HE FEELS THAT THIS PROJECT IS A WASTE OF TAXPAYERS MONEY. THE CITY HAS ENOUGH LAND AT THE CURRENT PUMPING STATION. THEY SHOULD TEAR DOWN THE CURRENT BUILDING AND PUT THEIR NEW STATION THERE.

### LEGISLATIVE MATTERS RESOLUTIONS

#### RESOLUTION #265

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL IN RESOLUTION #034, ADOPTED FEBRUARY 3, 1997, APPROVED ACT-11-96 AND AUTHORIZED THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS TO ACQUIRE SEVERAL PARCELS, INCLUDING THE PROPERTY LOCATED AT 1626 ROSENEATH AVENUE, FOR THE PURPOSE OF ASSEMBLING LAND TO CONSTRUCT A NEW PUMPING STATION AND SANITATION BASIN AT THE NORTH END OF ROOSEVELT AND LANSING AVENUES; AND

WHEREAS, A PURCHASE PRICE FOR THE PROPERTY IN THE AMOUNT OF \$38,500.00, THE FAIR MARKET VALUE OF THE PROPERTY ESTABLISHED BY INDEPENDENT APPRAISAL, HAS BEEN OFFERED BY THE CITY AND ACCEPTED BY THE OWNERS OF THE PROPERTY; AND

WHEREAS, THE CITY CHARTER AND CHAPTER 208 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING REQUIRE CITY COUNCIL APPROVAL OF THE ACQUISITION AND DISPOSITION OF REAL PROPERTY;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL AUTHORIZE THE ACQUISITION OF THE PROPERTY LOCATED AT 1626 ROSENEATH AVENUE, MORE PARTICULARLY DESCRIBED AS:

LOTS 340 AND 341, NORTH HIGHLAND  
SUBDIVISION, CITY OF LANSING, INGHAM COUNTY,  
MICHIGAN.

FOR THE PURCHASE PRICE OF \$38,500.00, ESTABLISHED AS THE FAIR MARKET VALUE OF THE PROPERTY, PLUS CLOSING COSTS.

BE IT FURTHER RESOLVED THAT UPON ACQUISITION, THE STRUCTURE ON THE PROPERTY SHALL BE RAZED AND THEREAFTER THE LAND BE UTILIZED TO IMPLEMENT THE PROPOSED PUMP STATION AND SANITATION BASIN PROJECT.

BE IT FURTHER RESOLVED THAT ALL COSTS TO ACQUIRE AND REMOVE THE STRUCTURE SHALL BE PAID FROM THE CITY'S CSO LAND ACQUISITION ACCOUNT #414-453680-

971000-61250.

BE IT FINALLY RESOLVED THE MAYOR IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESTATED TRANSACTION, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #266

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
Z-2-97 DENIAL OF REZONING OF  
519 N. CHESTNUT FROM "C" RESIDENTIAL AND "DM-4"  
RESIDENTIAL TO "D-1" PROFESSIONAL OFFICE DISTRICT

WHEREAS, RON MORIN OF PRAY AMERICA HAS REQUESTED TO REZONE PROPERTY AT 519 N. CHESTNUT FROM "C" RESIDENTIAL AND "DM-4" RESIDENTIAL TO "D-1" PROFESSIONAL OFFICE DISTRICT; AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING ON TUESDAY, MARCH 4, 1997, AT WHICH TIME MR. STEVE SANDSTEDT SPOKE IN FAVOR OF THE PETITION AND TWO ADJACENT PROPERTY OWNERS AND A REPRESENTATIVE OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION SPOKE IN OPPOSITION TO IT; AND

WHEREAS, THE PLANNING BOARD, AT THEIR MEETING ON MARCH 18, 1997 VOTED UNANIMOUSLY (6-0) TO DENY THE REQUEST FINDING THAT THE REQUESTED REZONING IS A SPOT ZONING CASE AND IS NOT COMPATIBLE WITH THE SURROUNDING RESIDENTIAL AREA. THE REQUEST IS ALSO NOT COMPATIBLE WITH THE RIVER ISLAND MASTER PLAN AMENDMENT WHICH DESIGNATES PROPERTIES IN THIS AREA FOR LOW DENSITY RESIDENTIAL LAND USE; AND

WHEREAS, THE APPROVED MINUTES OF SAID PLANNING BOARD MEETINGS ARE ON FILE IN THE CITY CLERK'S OFFICE; AND

WHEREAS, THE LANSING CITY COUNCIL HELD A PUBLIC HEARING ON MONDAY, MAY 5, 1997; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING OF COUNCIL HAS REVIEWED THE PETITION AND THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH,

NOW THEREFORE BE IT RESOLVED THE COUNCIL OF THE CITY OF LANSING HEREBY DENIES THE REQUEST OF RON MORIN REPRESENTING PRAY AMERICA TO REZONE THE PROPERTY AT 519 N. CHESTNUT FROM "C" RESIDENTIAL AND "DM-4" RESIDENTIAL TO "D-1" PROFESSIONAL OFFICE DISTRICT, MORE PARTICULARLY DESCRIBED AS

SOUTH 1/2 LOT 3 & NORTH 22 FT LOT 4, BLOCK  
73, ORIGINAL PLAT, CITY OF LANSING, INGHAM  
COUNTY, MICHIGAN.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #267**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON WAYS AND MEANS HAS REVIEWED THE EXISTING ADMINISTRATIVE TRANSFER POLICY; AND

WHEREAS, THE COMMITTEE WISHES TO CLARIFY THE CONDITIONS UNDER WHICH ADMINISTRATIVE TRANSFERS MAY BE ALLOWED; AND

WHEREAS, THE RECOMMENDED POLICY CONTAINED HEREIN PARALLELS AND SUPPORTS THE FY 97-98 BUDGET ADOPTION RESOLUTION.

NOW, THEREFORE BE IT RESOLVED, THAT WHERE AUTHORIZED AND APPLICABLE THE FOLLOWING ACCOUNTS SHALL BE ESTABLISHED FOR EACH DEPARTMENT, AND BY FUND WITHIN EACH DEPARTMENT, AND FOR THE GENERAL ADMINISTRATION ACCOUNT SERIES, IN THE FY 97-98 BUDGET AND IN EACH SUCCESSIVE BUDGET UNLESS OTHERWISE AMENDED OR REPEALED BY CITY COUNCIL.

1. EXPENDITURE CONTROL
2. PERSONAL SERVICES
3. SUPPLIES & OPERATING EXPENSES
4. CAPITAL OUTLAY
5. DEBT SERVICE
6. OPERATING TRANSFERS OUT
7. CONTINGENCY

BE IT FURTHER RESOLVED, THAT INDIVIDUAL LINE-ITEMS MAY BE ESTABLISHED ADMINISTRATIVELY WITHIN EACH ACCOUNT TO THE EXTENT THAT EACH LINE-ITEM IS CONTAINED IN THE BUDGET SUBMISSION TO CITY COUNCIL. TRANSFERS BETWEEN EACH ACCOUNT IDENTIFIED ABOVE MAY BE EXECUTED IN ACCORDANCE WITH ARTICLE 7, SECTION 107.3 OF THE LANSING CITY CHARTER. TRANSFERS BETWEEN LINE-ITEMS COMPRISING ANY ACCOUNT MAY BE ADMINISTRATIVELY EXECUTED SUBJECT TO THE FOLLOWING CONDITIONS AND CONSTRAINTS:

- A. ADMINISTRATIVE TRANSFERS ARE AUTHORIZED BETWEEN PERSONAL SERVICES ACCOUNTS AND OPERATING ACCOUNTS FOR THE SOLE PURPOSE OF OBTAINING CONTRACTUAL TEMPORARY HELP TO COVER FULL-TIME POSITION VACANCIES. TRANSFERS MAY BE MADE ONLY TO LINE-ITEMS IDENTIFIED BY OBJECT CODE AS 743050. UTILIZATION OF CONTRACTUAL TEMPORARY HELP FUNDED THROUGH

ADMINISTRATIVE TRANSFERS SHALL CEASE UPON FILLING OF THE ASSOCIATED VACANCY.

- B. ADMINISTRATIVE TRANSFERS SHALL NOT REDUCE THE SCOPE OF PREVIOUSLY AUTHORIZED PROGRAMS.
- C. ADMINISTRATIVE TRANSFERS SHALL NOT BE UTILIZED TO FUND A PREVIOUSLY UNFUNDED FUNCTION, OR FUND ANY FUNCTION NOT CONSISTENT WITH THE SPECIFIC INTENT OF THE ORIGINAL APPROPRIATION.
- D. ADMINISTRATIVE TRANSFERS SHALL NOT BE UTILIZED TO INCREASE THE AUTHORIZED FTE POSITIONS FOR ANY CITY AGENCY, PROGRAM, ACTIVITY, OR FUNCTION, NOR MAY ADMINISTRATIVE TRANSFERS BE UTILIZED TO FUND ANY AUTHORIZED, BUT UNFUNDED, POSITION.
- E. ADMINISTRATIVE TRANSFERS SHALL NOT BE UTILIZED TO CONTINUE OR SUPPLEMENT ANY GRANT-FUNDED PROGRAM.
- F. ALL ADMINISTRATIVE TRANSFERS EXECUTED DURING ANY WEEK SHALL BE SUBMITTED, IN NUMERICAL ORDER, TO THE LANSING CITY COUNCIL AT THEIR REGULARLY SCHEDULED MEETING UNDER REPORTS FROM CITY OFFICER AND BOARDS FOR REVIEW AND REFERRAL.
- G. WHERE APPLICABLE AND WARRANTED THIS POLICY PROVIDES FOR THE ADMINISTRATIVE RECAPTURE OF FUNDS RESULTING FROM PERSONNEL VACANCIES.
- H. TRANSFERS FROM CONTINGENCY ACCOUNTS OR FROM GENERAL FUND FRINGE BENEFIT FUNDS ARE NOT PERMITTED WITHOUT FURTHER COUNCIL APPROVAL PURSUANT TO THE AGREEMENT ON MONITORING SUCH FUNDS.
- I. EXPENDITURES DIRECTLY FROM CONTINGENCY ACCOUNTS ARE NOT AUTHORIZED.
- J. ADMINISTRATIVE TRANSFERS MAY BE EXECUTED WITHIN THE FOLLOWING CAPITAL PROJECT CATEGORIES WITHIN EACH FUND PROVIDED HOWEVER THAT ANY TRANSFER SHALL NOT FUND UNFUNDED PROJECTS OR PROJECTS NOT PREVIOUSLY AUTHORIZED BY CITY COUNCIL, NOR SHALL SUCH TRANSFERS REDUCE THE SCOPE OF PREVIOUSLY AUTHORIZED PROJECTS OR ACQUISITIONS. THIS STATEMENT DOES NOT APPLY TO PARK MILLAGE PROJECTS ALREADY GOVERNED BY PREVIOUS POLICY.
  1. ROADS, INCLUDING MAJOR, LOCAL, BRIDGES, TRUNKLINES & ALLEYS.
  2. TRANSPORTATION SYSTEM, INCLUDING SIDEWALKS, PEDESTRIAN OVERPASSES, SIGNALS, RIVERWALK.

3. BUILDINGS & GROUNDS, INCLUDING DESIGN & CONSTRUCTION FOR CAPITAL REPAIR OR CAPITAL MAINTENANCE OF CITY FACILITIES, INCLUDING "OPEN" STRUCTURES, SHARED FACILITIES, LEASEHOLD IMPROVEMENTS, AND LAND ACQUISITION.
4. CAPITAL EQUIPMENT, INCLUDING VEHICLES, COMMUNICATION AND COMPUTER SYSTEMS, AND SIMILAR FREESTANDING CAPITAL EQUIPMENT.
5. SEWER SYSTEMS, INCLUDING DESIGN, CONSTRUCTION, AND REPAIR OF STORM, SANITARY, COMBINED, AND DRAIN PROJECTS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #268**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL HAS EXTENSIVELY REVIEWED THE MAYOR'S RECOMMENDED BUDGET FOR FISCAL YEAR 1997-98; AND

WHEREAS, ALL COUNCIL DELIBERATIONS HAVE BEEN TELEVISED TO ACHIEVE A HIGH LEVEL OF PUBLIC AWARENESS AND ABILITY TO COMMENT ON BUDGETARY ISSUES FACING THE CITY; AND

WHEREAS, AS REQUIRED BY STATE STATUTE AND THE LANSING CITY CHARTER, COUNCIL HAS GIVEN PUBLIC NOTICE AND HELD REQUIRED PUBLIC HEARINGS TO PROVIDE THE OPPORTUNITY FOR CITIZENS TO COMMENT ON ANTICIPATED REVENUES; PROPOSED SPENDING; A PROPOSED TAX RATE; AND OTHER FEES AND RATES SET FORTH IN THE RECOMMENDED BUDGET;

WHEREAS, THE COUNCIL DETERMINED DURING ITS REVIEW AND HEARING PROCESS THAT SUBSTITUTIONS WERE NEEDED TO BE MADE TO CERTAIN ITEMS WITHIN THE MAYOR'S RECOMMENDED BUDGET TO ADJUST PROPOSED REVENUES, EXPENDITURES, RATES AND POLICIES; AND

WHEREAS, THESE SUBSTITUTIONS WERE MADE TO, AND MARKED ON, THE MAYOR'S RECOMMENDED BUDGET FOR FISCAL YEAR 1997-98 RESULTING IN A FINAL PROPOSED 1997-98 BUDGET FOR THE CITY OF LANSING ("FINAL BUDGET") WHICH HAS NOW BEEN SUBMITTED TO THIS COUNCIL FOR ITS CONSIDERATION TOGETHER WITH THIS RESOLUTION;

NOW, THEREFORE, BE IT RESOLVED THAT THE DOCUMENT DESIGNATED AS THE FINAL BUDGET IS HEREBY ADOPTED AS THE CITY OF LANSING'S BUDGET FOR FISCAL YEAR 1997-

98;

BE IT FURTHER RESOLVED THAT FOR FISCAL YEAR 1997-98 THE AD VALOREM PROPERTY TAX LEVY FOR OPERATING PURPOSES SHALL BE MAINTAINED AT 15.04 MILLS, INCLUDING 1.0 MILLS VOTED BY LANSING CITIZENS FOR PARK IMPROVEMENTS. THE AD VALOREM PROPERTY TAX LEVY FOR DEBT SERVICE SHALL BE REDUCED FROM 2.36 MILLS TO 2.06 MILLS.

BE IT FURTHER RESOLVED THAT THE FOLLOWING EXPENDITURE ACCOUNTS ("EXPENDITURE ACCOUNTS") ARE HEREBY ESTABLISHED BY ACCOUNT SERIES IN THE FINAL BUDGET AS LINE ITEMS AND NO TRANSFERS SHALL BE MADE BETWEEN OR AMONG THE EXPENDITURE ACCOUNTS EXCEPT IN ACCORDANCE WITH SECTIONS 7-107.3 AND 7-108 OF THE LANSING CITY CHARTER:

1. EXPENDITURE CONTROL;
2. PERSONNEL SERVICES;
3. SUPPLIES AND OPERATING EXPENSES;
4. CAPITAL OUTLAY;
5. DEBT SERVICE;
6. OPERATING TRANSFERS OUT;
7. CONTINGENCY ACCOUNTS.

BE IT FURTHER RESOLVED THAT WITHIN EACH EXPENDITURE ACCOUNT AS SET FORTH IN THE FINAL BUDGET ARE FOUND MEMO DETAIL; TRANSFERS WITHIN AND AMONG THE MEMO DETAIL WITHIN EACH EXPENDITURE ACCOUNT ARE ALLOWED CONSISTENT WITH THE CONDITIONS AND CONSTRAINTS CONTAINED IN THE ADMINISTRATIVE TRANSFER POLICIES ADOPTED BY CITY COUNCIL RESOLUTION; AND

BE IT FURTHER RESOLVED THAT NO EXPENDITURES FROM THE CONTINGENCY ACCOUNTS SHALL BE PERMISSIBLE WITHOUT FURTHER COUNCIL APPROVAL CONSISTENT WITH SECTION 7-108 OF THE LANSING CITY CHARTER; AND

BE IT FURTHER RESOLVED THAT THE CITY CLERK IS DIRECTED TO FILE AND RETAIN A COPY OF THE FINAL BUDGET IN THE OFFICE OF THE CITY CLERK; AND

BE IT FINALLY RESOLVED THAT THE FOLLOWING REFERRALS ARE MADE FROM BUDGET DELIBERATIONS TO THE COMMITTEES LISTED BELOW:

ITEM

COMMITTEE

TRUANCY PROGRAM

PUBLIC SAFETY, AND  
INTERGOVERNMENTAL  
RELATIONS

ITEM

COMMITTEE

RECYCLING FEE COMPOSITION

PUBLIC SERVICES

CABLE FRANCHISE  
FEE ALLOCATION

WAYS AND MEANS,  
AND GENERAL SERVICES

HUMAN SERVICES FUNDING COORDINATION	INTERGOVERNMENTAL RELATIONS
CSO ENGINEERS/CONSULTANTS	PUBLIC SERVICES
SOUTHSIDE COMMUNITY CENTER/ ZOO EDUCATION BUILDING	WAYS AND MEANS (REPORT BACK IN 30 DAYS)
EXPANDED HOURS KIDS CAMPS (CURRENT YEAR)	WAYS AND MEANS
EXPANDED HOURS KIDS CAMPS (NEXT YEAR)	PUBLIC SERVICES, AND INTERGOVERN- MENTAL RELATIONS
CITY BOARD RECOGNITION	GENERAL SERVICES
MILLER ROAD ENERGY IMPROVEMENT	WAYS AND MEANS (\$24,000 PARK MILLAGE CONTINGENCY)
PARK EQUIPMENT INSPECTION CURRENT YEAR	PUBLIC SERVICES
REDUCTION IN NATURAL ICE RINKS	PUBLIC SERVICES
PRIORITY # 13 FROM BUDGET POLICY RESOLUTION (MASTER PLANNING: UNFUNDED)	PLANNING & DEVELOPMENT
STADIUM FUNDS FOR PARKS & RECREATION CURRENT YEAR (PER POLICY PRIORITY)	WAYS AND MEANS (\$20,000)
YOUTH COORDINATOR POSITION	INTERGOVERNMENTAL RELATIONS, PUBLIC SERVICES
COMPLAINT COORDINATOR /INVESTIGATOR	PUBLIC SAFETY
DEPUTY CHIEF POSITION	PUBLIC SAFETY
CODE ENFORCEMENT	GENERAL SERVICES

INFORMATION REQUESTS

JONES: REPORT OUTCOME OF MEETING THIS WEEK RE:  
FACILITY STUDY AT OAK GARAGE

LILLY: COST COMPARISONS WITH OTHER UNITS ON  
PHONES. PER EMPLOYEE COSTS.

LEEMAN: LIST OF WHAT LYRF IS DOING  
PROGRAMMATICALLY.

BY COUNCILMEMBER LEEMAN

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

BY COUNCILMEMBER NOVAK

TO DIVIDE THE QUESTION OF BUDGET APPROVAL TO DEAL  
WITH ALL ITEMS EXCEPT THE CRISTO REY ITEMS

CARRIED UNANIMOUSLY

BY COUNCILMEMBER NOVAK

TO RECUSE COUNCILMEMBER BENAVIDES FROM  
CONSIDERATION OF THE CRISTO REY BUDGET ITEMS

CARRIED UNANIMOUSLY, COUNCILMEMBER BENAVIDES  
ABSTAINING

BY COUNCILMEMBER NOVAK

TO PLACE AN AFFIRMATIVE ROLL ON THAT PORTION OF THE  
BUDGET THAT INCLUDED CRISTO REY APPROPRIATIONS

CARRIED UNANIMOUSLY, COUNCILMEMBER BENAVIDES  
ABSTAINING

THE MAIN MOTION, CONTAINING ALL BUDGET  
APPROPRIATIONS, WITH THE EXCEPTION OF CRISTO REY  
APPROPRIATIONS, WAS CARRIED UNANIMOUSLY

RESOLUTION #269

BY THE COMMITTEE OF THE WHOLE-  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL HAS UNDERTAKEN  
CONSIDERABLE REVIEW OF THE BUDGET RECOMMENDATIONS  
SUBMITTED BY THE ADMINISTRATION, AND

WHEREAS, THE BUDGET STABILIZATION FUND ORDINANCE  
PROVIDES FOR ANNUAL APPROPRIATION TO THE BUDGET  
STABILIZATION FUND, UPON COMPLETION OF THE ANNUAL  
YEAR END CLOSING, WHEN GENERAL FUND REVENUES  
EXCEED GENERAL FUND EXPENDITURES, AND

WHEREAS, THE CITY COUNCIL HAS PREVIOUSLY STATED BY  
RESOLUTION THAT YEAR END RESIDUALS SHOULD BE  
DIRECTED TOWARD ADDRESSING THE CITY'S INFRASTRUCTURE  
NEEDS; AND

WHEREAS, THE ADMINISTRATION HAS FORECASTED AN  
ESTIMATED \$2,400,000 EXCESS OF REVENUES IN  
RELATIONSHIP TO EXPENDITURES AT YEAR END, FY 97.

NOW THEREFORE BE IT RESOLVED THAT THE  
ADMINISTRATION IS AUTHORIZED AND SHALL MAKE AN  
ADMINISTRATIVE TRANSFER OF FUNDS TO THE BUDGET  
STABILIZATION FUND OF \$700,000 FROM THE ESTIMATED  
EXCESS OF REVENUES IN RELATIONSHIP TO EXPENDITURES  
UPON COMPLETION OF THE FY 97 YEAR END CLOSING, AND

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS

AUTHORIZED AND SHALL MAKE AN ADMINISTRATIVE TRANSFER OF FUNDS OF \$1,700,000 TO THE INFRASTRUCTURE FUND ROAD MAINTENANCE ACCOUNT, FROM THE ESTIMATED EXCESS OF REVENUES IN RELATIONSHIP TO EXPENDITURES UPON COMPLETION OF THE FY 97 YEAR END CLOSING, AND

BE IT FINALLY RESOLVED THAT THE ADMINISTRATION SHALL NOTIFY THE CITY COUNCIL UPON COMPLETION OF SUCH TRANSFERS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #270**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS & WAREHOUSEMEN, LOCAL 580 HAVE NEGOTIATED A LABOR AGREEMENT FOR THE PERIOD COVERING FEBRUARY 1, 1997 THROUGH JANUARY 31, 2000; AND

WHEREAS, THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS & WAREHOUSEMEN, LOCAL 580 MEMBERSHIP HAS RATIFIED THIS AGREEMENT; AND

WHEREAS, THE MAYOR HAS RECOMMENDED THAT THE CONTRACT BE APPROVED; AND

WHEREAS, THE CITY COUNCIL HAS REVIEWED THE CONTRACT PROVISIONS; AND

WHEREAS, THE PROPOSED AGREEMENT IS WITHIN THE PARAMETERS ESTABLISHED BY THE CITY AND WITHIN BUDGET LIMITATIONS;

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY COUNCIL HEREBY RATIFIES THE CONTRACT BETWEEN THE CITY OF LANSING AND INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS & WAREHOUSEMEN, LOCAL 580 FOR THE PERIOD FEBRUARY 1, 1997 THROUGH JANUARY 31, 2000; AND

BE IT FURTHER RESOLVED, THAT THE COMMITTEE OF THE WHOLE AUTHORIZES THE ADMINISTRATION TO PROCESS THE NECESSARY APPROPRIATIONS AND TRANSFERS TO APPROPRIATE SALARY AND FRINGE BENEFIT ACCOUNTS, TO FUND THIS AGREEMENT.

BY COUNCILMEMBER LEEMAN

TO PLACE AN AFFIRMATIVE ROLE ON THE RESOLUTION

BY COUNCILMEMBER NOVAK

TO RECUSE COUNCILMEMBER LILLY FROM CONSIDERATION OF THIS ITEM, AS HIS WIFE IS EMPLOYED BY THE CITY OF LANSING AND A MEMBER OF TEAMSTERS LOCAL #580

CARRIED UNANIMOUSLY, COUNCILMEMBER LILLY ABSTAINING

COUNCILMEMBER LEEMAN'S MOTION FOR AFFIRMATIVE ROLL WAS CARRIED UNANIMOUSLY, COUNCILMEMBER LILLY ABSTAINING

**RESOLUTION #271**

BY THE COMMITTEE OF THE WHOLE  
RESOLUTION APPROVING  
FOURTH AMENDED DEVELOPMENT PLAN AND  
FOURTH AMENDED  
TAX INCREMENT FINANCING PLAN

WHEREAS, THIS CITY COUNCIL HAS GIVEN NOTICE PURSUANT TO SECTION 17 OF PUBLIC ACT NO. 450 OF THE MICHIGAN PUBLIC ACTS OF 1980, AS AMENDED (THE "ACT") OF A PUBLIC HEARING WHICH WAS HELD ON THE 5TH DAY OF MAY, 1997, RELATIVE TO THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN FOR THE PHASE III - LANSING CONVENTION/EXHIBITION CENTER AND ASSOCIATED FACILITIES AND PARKING SYSTEM PROJECT AND PHASE I - DOWNTOWN ENTERTAINMENT DISTRICT AND ASSOCIATED FACILITIES PROJECT (TOGETHER, THE "PROJECT") OF THE TAX INCREMENT FINANCE AUTHORITY OF THE CITY OF LANSING (THE "AUTHORITY"); AND

WHEREAS, THIS CITY COUNCIL HAS PREVIOUSLY APPROVED THE DEVELOPMENT PLAN, AS MODIFIED AND THE TAX INCREMENT FINANCING PLAN, AS MODIFIED FOR THE PHASE I, AND PHASE II AND PHASE III - LANSING CONVENTION/EXHIBITION CENTER AND ASSOCIATED FACILITIES PROJECT; AND

WHEREAS, AT SAID PUBLIC HEARING, THE FULLEST OPPORTUNITY WAS GIVEN FOR EXPRESSION OF OPINION, FOR ARGUMENT ON THE MERITS AND FOR INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN, AND FURTHER, THIS CITY COUNCIL HAS GIVEN DUE CONSIDERATION TO ALL COMMUNICATIONS RECEIVED IN WRITING WITH REFERENCE THERETO; AND

WHEREAS, THIS CITY COUNCIL MADE AND PRESERVED A RECORD OF THE PUBLIC HEARING, INCLUDING ALL DATA PRESENTED THEREAT; AND

WHEREAS, ON APRIL 2, 1997, THE AUTHORITY ADOPTED A RESOLUTION RECOMMENDING APPROVAL OF THE FOURTH AMENDED TAX INCREMENT DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN FOR THE PHASE III - LANSING CONVENTION/EXHIBITION CENTER AND ASSOCIATED FACILITIES AND PARKING SYSTEM PROJECT AND PHASE I - DOWNTOWN AND ENTERTAINMENT DISTRICT AND ASSOCIATED FACILITIES PROJECT; AND

WHEREAS, THIS CITY COUNCIL DESIRES TO EXPRESS ITS APPROVAL OF THE FOURTH AMENDED DEVELOPMENT PLAN, THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN AND THE PROJECT DESCRIBED THEREIN.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. IT IS HEREBY DETERMINED THAT THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN FOR THE PROJECT, AS PRESENTED, EACH CONSTITUTES A PUBLIC PURPOSE WITHIN THE MEANING OF THE ACT AND THE FOURTH AMENDED DEVELOPMENT PLAN AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN ARE EACH HEREBY APPROVED IN ITS ENTIRETY, BASED UPON THE FOLLOWING CONSIDERATIONS:

- (A) THE FOURTH AMENDED DEVELOPMENT PLAN MEETS THE REQUIREMENTS AS SET FORTH IN SECTION 16(2) OF THE ACT AND THE FOURTH AMENDED TAX INCREMENT FINANCING PLAN MEETS THE REQUIREMENTS AS SET FORTH IN SECTION 13(2) OF THE ACT.
- (B) THE PROPOSED METHOD OF FINANCING THE PROJECT IS FEASIBLE AND THE AUTHORITY HAS THE ABILITY TO ARRANGE THE FINANCING.
- (C) THE PROJECT IS REASONABLE AND NECESSARY TO CARRY OUT THE PURPOSES OF THE ACT.
- (D) THE AMOUNT OF CAPTURED ASSESSED VALUE ESTIMATED TO RESULT FROM THE ADOPTION OF THE FOURTH AMENDED DEVELOPMENT PLAN AND FOURTH AMENDED TAX INCREMENT FINANCING PLAN IS REASONABLE.
- (E) THE LAND TO BE ACQUIRED WITHIN THE DEVELOPMENT AREA, IF ANY, IS REASONABLY NECESSARY TO CARRY OUT THE PURPOSES OF THE FOURTH AMENDED DEVELOPMENT PLAN AND FOURTH AMENDED TAX INCREMENT FINANCING PLAN AND THE PURPOSES OF THE ACT.
- (F) THE FOURTH AMENDED DEVELOPMENT PLAN IS IN REASONABLE ACCORD WITH THE APPROVED MASTER PLAN OF THE CITY OF LANSING
- (G) PUBLIC SERVICES, INCLUDING FIRE AND POLICE PROTECTION AND UTILITIES, ARE GENERALLY ADEQUATE TO SERVICE THE DEVELOPMENT AREA, WITH THE EXCEPTION OF

IMPROVEMENTS WHICH MAY BE MADE IN CONNECTION WITH THE PROPOSED PROJECT. EXCEPT AS DESCRIBED ABOVE, NO CHANGES IN STREETS, STREET LEVELS, INTERSECTIONS OR UTILITIES, WILL BE REASONABLE NECESSARY FOR THE PROJECT AND THE MUNICIPALITY.

2. IT IS FURTHER DETERMINED THAT, WITH RESPECT TO THE PROPOSED EXPANDED DEVELOPMENT AREA, IT IS IN THE BEST INTERESTS OF THE PUBLIC TO HALT A DECLINE IN PROPERTY VALUES, AND TO PROMOTE GROWTH IN THAT AREA.
3. ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT WITH THIS RESOLUTION ARE HEREBY REPEALED, BUT ONLY TO THE EXTENT OF SUCH CONFLICT.

BY COUNCILMEMBER LILLY

TO ACCEPT A SUBSTITUTE RESOLUTION FOR THE ORIGINAL RESOLUTION CONTAINED IN TONIGHT'S PACKET, AND TO PLACE AN AFFIRMATIVE ROLL ON THE SUBSTITUTE RESOLUTION

FOLLOWING LENGTHY DISCUSSION ON THE MAIN MOTION, THE FOLLOWING MOTION WAS MADE:

BY COUNCILMEMBER BENAVIDES

TO CALL THE QUESTION OF THE MAIN MOTION TO A VOTE

CARRIED UNANIMOUSLY

COUNCILMEMBER LILLY'S MOTION FOR AFFIRMATIVE ROLL WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

#### **RESOLUTION #272**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
RESOLUTION APPROVING  
APPLICATION FOR CRITICAL BRIDGE FUNDING  
MICHIGAN DEPARTMENT OF TRANSPORTATION

WHEREAS, THE PUBLIC SERVICE DEPARTMENT HAS EVALUATED THE CITY'S THIRTEEN VEHICLE BRIDGES AND WE RECOMMEND THAT THE CITY SUBMIT AN APPLICATION FOR CRITICAL BRIDGE FUNDING FOR FOUR OF THESE STRUCTURES TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION; AND

WHEREAS, THE BRIDGES ARE BEECH STREET OVER THE RED CEDAR RIVER, NORTH MARTIN LUTHER KING JR. OVER THE GRAND RIVER, ELM STREET OVER THE GRAND RIVER, AND PENNSYLVANIA AVENUE OVER CONRAIL; AND

WHEREAS, IF SUCCESSFUL, THE CITY WILL RECEIVE



FEDERAL/STATE GRANT FUNDING TO FINANCE 95% OF CONSTRUCTION COSTS AND THE CITY WILL FUND 5% OF THE CONSTRUCTION AND 100% OF THE ENGINEERING COST,

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL APPROVES THE SUBMITTAL BY THE PUBLIC SERVICE DEPARTMENT FOR CRITICAL BRIDGE PROGRAM FOR THESE BRIDGES;

AND BE IT FURTHER RESOLVED, THAT UPON GRANT AWARD, THE ADMINISTRATION IS AUTHORIZED TO APPROPRIATE ADMINISTRATIVELY THE NECESSARY ACCOUNTS FOR THE GRANT WITH THE CITY MATCH COMING FROM MAJOR STREET FUNDING.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #273

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED:

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$13,200	GENERAL FUND-FUND BALANCE 101-0-390001- 0	
\$7,780		CITY COUNCIL-OVERTIME- SALARY 101-112101-708000-0
\$5,420		CITY COUNCIL-OPERATING SUPPLIES 101-112101-742000-0

(STAFFING REQUIREMENTS FOR MARCH FOR JUSTICE, ELECTED OFFICERS COMPENSATION COMMITTEE HEARINGS, AND BUDGET HEARINGS; OPERATING EXPENSES BEYOND REVISED BUDGET ESTIMATES.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-18-96; 4720 S. CEDAR ST., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-18-96; 4720 S. CEDAR ST., BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

#### ORDINANCE #2409

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-18-96, 4720 S. CEDAR STREET  
(EAST 183 FEET) "N" RESIDENTIAL  
TO "D-1" PROFESSIONAL OFFICE  
DISTRICT

PARCEL NUMBER: 3301-33-407-241

LEGAL DESCRIPTION: LOT 1, BLOCK 11, ORIGINAL PLAT AND LOTS 10, 11, 12 & 13, BLOCK 10, ORIGINAL PLAT, AND VACATED STREETS AND ALLEYS THEREIN, BLOCK 10, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

FROM "N" RESIDENTIAL DISTRICT TO "D-1" PROFESSIONAL OFFICE DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN ITS ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-01-97; 621 AND 623 E. MICHIGAN AVE., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-01-97; 621 AND 623 E. MICHIGAN AVE., BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

#### ORDINANCE #2410

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-1-97, 621 AND 623 E. MICHIGAN AVE.

PARCEL NUMBER: PPNS 3301-16-277-271 AND - 281

LEGAL DESCRIPTION: LOTS 30 AND 31, ASSESSOR'S PLAT #36 OF BLOCK 243 ORIG. PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

FROM "H" LT. INDUSTRIAL TO "G-1" BUSINESS DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

#### **OTHER BUSINESS**

##### ► PUBLIC COMMENT ON CITY MATTERS

ED SIMMER OF 2609 DIER CRITICIZED THE LANSING STATE JOURNAL FOR THEIR ARTICLES REGARDING THE USE OF COUNCILMEMBER OFFICE HOLDER ACCOUNT FUNDS FOR THE PURCHASE OF ALCOHOLIC BEVERAGES. HE DECLARED THAT THE ONLY THING THAT THIS NEWSPAPER IS GOOD FOR IS TO LINE THE BOTTOM OF BIRD CAGES AND CAT BOXES AND TO HOUSE TRAIN PUPPIES ON.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. COMPLIMENTED COUNCILMEMBER NOVAK AND SAID THAT IN HIS CAMPAIGN WORK HE HAS HEARD A LOT OF GOOD REPORTS FROM MR. NOVAK'S CONSTITUENTS. HE STATED THAT HE WANTS THE FOURTH WARD TO BE THE FIRST DRUG FREE WARD IN THE CITY OF LANSING. ADDITIONALLY, HE CALLED FOR A 5 YEAR BAN ON ALL RENTAL PROPERTY IN THE FOURTH WARD. HE STATED HIS SUPPORT FOR THE NORTH SIDE POLICE PRECINCT. IT IS TIME FOR ALL COLORS TO

COME TOGETHER FOR THE COMMON GOOD OF THIS AREA. NO ONE IN THIS CITY SHOULD LIVE IN FEAR. HE THANKED COUNCILMEMBER LEEMAN FOR ATTENDING THE NORTH PRECINCT ADVISORY BOARD MEETING THIS WEEKEND.

ALEXANDER BOLT OF 1230 REO RD. SAID THAT HE HOPES TO GET FREE DRINKS AND BURGERS AT CORREY'S TONIGHT.

BARBARA LUOMA OF 5544 S. MARTIN LUTHER KING, JR. BLVD. SAID THAT SHE IS THE OWNER OF JERRY'S AUTOMOTIVE, AND IS OPPOSED TO THE APPLICATION FOR PRD-01-97 FOR SILVERSTONE TOWNHOUSES. THE DEVELOPERS OF THIS PROJECT HAVE BEEN THREATENING THIS NEIGHBORHOOD THAT IF THEY OPPOSE THE TOWNHOUSE PROJECT, IT WILL BE REPLACED WITH HIGH-RISE APARTMENT BUILDINGS. THE RESIDENTS IN THIS NEIGHBORHOOD HAVE EXPERIENCED MANY INSTANCES OF VANDALISM SINCE THEY BEGAN OPPOSING THIS PROJECT.

MELANIE ROGERS OF 409 W. WILLOW SPOKE REGARDING THE PRIORITIZATION OF HOME IMPROVEMENT PROJECTS AND THE ORDER THAT SPECIFIC TASKS MUST BE COMPLETED IN.

HELEN BAILEY OF 1622 COOPER AVE. SPOKE REGARDING COUNCILMEMBER BEAL'S USE OF TAX PAYERS MONEY FOR THE PURCHASE OF ALCOHOLIC BEVERAGES. THE PUBLIC, SHE SAID, IS TIRED OF WATCHING COUNCILMEMBERS FLIP-FLOP ON ISSUE AFTER ISSUE AND RE-DEBATE ISSUES OVER AND OVER AGAIN. THEY ARE TIRED OF WEEKLY RE-RUNS OF CONTROVERSIAL ISSUES THAT WERE SUPPOSEDLY VOTED ON THE WEEK BEFORE. THIS HAPPENS WITH EVERY ISSUE THAT FACES COUNCIL.

DENNIS PALMER OF 2300 MEADOWCROFT NOTED THAT THIS IS EMERGENCY MEDICAL SERVICES WEEK. TOMORROW THE CAPITAL WILL HOST AMBULANCE AWARENESS DAY AND AMBULANCES WILL BE ON DISPLAY ON THE CAPITAL LAWN.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SPOKE REGARDING THE DEATH OF EDWARD SWANS, WHILE IN THE CUSTODY OF THE LANSING POLICE DEPARTMENT. HE CRITICIZED ART WALKER, DIRECTOR OF THE CITY OF LANSING HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT AND QUESTIONED HIS HONESTY. THIS IS WITH REGARD TO THE MARCH FOR JUSTICE AND THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE.

HELEN FISER OF 12100 S. CORK IN MORRICE, MI THANKED COUNCILMEMBER ALLEN FOR ANNOUNCING THE CARTO MEETING. THEY ARE PREPARING FOR A REFERENDUM PETITION DRIVE ON THE "RAIN TAX" ISSUE

LLOYD TEETS OF 116 E. ELM ST. SPOKE REGARDING AN ARTICLE IN THE STATE JOURNAL ON FRIDAY. HE CRITICIZED THE STAFF REPORTER WHO WROTE THE ARTICLE, SAYING THAT SHE DID NOT DO ENOUGH INVESTIGATION AND DID NOT BREAK DOWN THE INFORMATION SHE UNCOVERED ENOUGH. THE CITY, HE SAID, HAS TWO EXECUTIVE DELUXE SUITES AT THE BALL PARK. ONE IS USED BY THE CITY ADMINISTRATION AND CITY COUNCIL, AND ONE IS USED BY THE BOARD OF WATER

& LIGHT. HE WOULD LIKE THE STATE JOURNAL TO FIND OUT HOW MUCH THE HOLLISTER ADMINISTRATION HAS SPENT OF THE TAX PAYERS MONEY IN THOSE SUITES.

DOUGLAS HALL OF 5019 KESSLER DR. DESCRIBED TODAY'S COUNCIL AS A THREE RING CIRCUS. HIS FATHER USED TO SERVE ON CITY COUNCIL, AND HE DOES NOT LIKE WHAT COUNCILMEMBER BEAL HAS DONE. HE FATHER SPENT SO MUCH EXTRA TIME ON COUNCIL BUSINESS THAT HE LOST HIS REGULAR JOB WITH THE MICHIGAN LEGISLATURE. HIS FATHER SOCIALIZED FOLLOWING COUNCIL MEETINGS, HOWEVER, HE DID SO AT HIS OWN EXPENSE, NOT AT THAT OF THE TAX PAYER.

REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH SPOKE IN SUPPORT OF THE MARCH FOR JUSTICE DEMANDS FOR CREATION OF A CITIZENS REVIEW BOARD. WE NEED THIS BOARD IN LANSING, BECAUSE WE DO NOT HAVE POLICE ACCOUNTABILITY AND BECAUSE THE BOARD OF POLICE COMMISSIONERS IS A TOOL AND DEFENDER OF THE POLICE DEPARTMENT. THEY HAVE CONSISTENTLY SUPPORTED THE POLICE DEPARTMENT AND THE ADMINISTRATION OVER THE COMPLAINTS AND INQUIRIES OF THE PUBLIC.

ALBERTA JORDAN, NO ADDRESS GIVEN, ACCUSED COUNCILMEMBERS OF JUGGLING FUNDS AROUND TO BENEFIT A CERTAIN HOTEL IN THE CITY. THIS HOTEL RECEIVED A \$1,000,000 SUBSIDY FROM THE CITY EVERY YEAR.

TOM LAFFERTY OF 1806 W. MICHIGAN COMMENTED REGARDING THE MEETING OF THE PUBLIC SERVICE BOARD LAST TUESDAY. THEY TOOK UP THE ISSUE OF AMENDING THE CSO PROJECT TO ADD A PUMPING STATION ON LANSING AVE. TO REPLACE THE CURRENT FACILITY. HE REQUESTED THAT THIS PROJECT BE TABLED PENDING THE COMPLETION OF THE CSO PROJECT/STORMWATER ENTERPRISE FUND STUDY. HE URGED COUNCILMEMBERS TO ATTEND THE CARTO MEETING THAT WILL BE HELD THIS WEDNESDAY AT GARDNER MIDDLE SCHOOL.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #274 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-18-96, 4720 SOUTH CEDAR STREET (EAST 183 FEET), "A" RESIDENTIAL TO I'D-111 PROFESSIONAL OFFICE DISTRICT,

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED, AND THAT THE Z-18-96 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

**RESOLUTION #275**  
REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-1-97, 621 AND 623 EAST MICHIGAN AVENUE, "H" LIGHT INDUSTRIAL TO "G-1" BUSINESS DISTRICT,

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED, AND THAT THE Z-1-97 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

**RESOLUTION #276**  
REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED A REQUEST BY MARVIN VANEK FOR A PLANNED RESIDENTIAL DEVELOPMENT (PRD) FOR THE PROPERTY LOCATED ON SOUTH MARTIN LUTHER KING JR., BOULEVARD, EXTENDING FROM HUGHES TO HAAG ROAD.

REPORTS AS FOLLOWS: THE COMMITTEE REVIEWED THE REQUEST WITH THE PLANNING DEPARTMENT STAFF, RECEIVED A PRESENTATION FROM THE DEVELOPER AND HEARD TESTIMONY FROM RESIDENTS LIVING IN THE AREA. THE COMMITTEE HEREBY DISCHARGES THIS MATTER WITHOUT RECOMMENDATION TO THE COMMITTEE OF THE WHOLE FOR CONSIDERATION BY THE COMMITTEE OF THE WHOLE.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED AND THE MATTER BE REFERRED TO THE COMMITTEE OF THE WHOLE

CARRIED UNANIMOUSLY

**CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

SECOND HAND DEALER: DICKER & DEAL  
MOOSE CREEK SPORTS  
MUSIC MANOR

PEDDLER: MILDRED B. JONES  
RICHARD SNYDER

TRANSFER CLASS C: FIRST OF AMERICA BANK-  
MICHIGAN, N.A.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTERS FROM THE MAYOR RE:

A. REAPPOINTMENT OF WILLIAM HUBBELL TO THE MEMORIAL REVIEW BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTION FUNDS: GREATER LANSING AREA HORSESHOE CLUB STATE CHAMPIONSHIP TOURNAMENT PROGRAM

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

C. TRANSFER OF FUNDS: PUBLIC SERVICE DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. LANSING NEIGHBORHOOD COUNCIL REQUEST FOR DISTRIBUTION OF ZOO PASSES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. TRANSFER OF FUNDS: CSO REVIEW

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F. LETTER OF APPRECIATION FROM RICHARD KNECHTGES TO PATRICK ENGLE OF THE TRANSPORTATION DIVISION

RECEIVED AND PLACED ON FILE

G. REPORT OF FORESTRY WORK PERFORMED AS A RESULT OF DAMAGE CAUSED BY THE ICE STORM OF MARCH 14, 1997

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. REPORT FROM THE MEMORIAL REVIEW BOARD REGARDING THE S. WASHINGTON BERM PROJECT "CENTURY ROW", REQUESTED BY THE PRINCIPAL SHOPPING DISTRICT

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4. COUNCILMEMBER BAUER SUBMITS PROPOSED RESOLUTION RESTRICTING THE USE OF COUNCILMEMBER COMMUNITY & PROMOTION FUNDS WITH REGARD TO THE

PURCHASE OF ALCOHOLIC BEVERAGES

REFERRED TO THE COMMITTEE OF THE WHOLE

### COMMUNICATIONS AND PETITIONS

By COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM THE LANSING REGIONAL CHAMBER OF COMMERCE REQUESTING WRITTEN CONFIRMATION THAT CITY COUNCIL COMMITTEE MEETINGS AND CITY COUNCIL MEETINGS WILL CONTINUE TO BE TAPED

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Z-11-97; 615 & 617 E. MICHIGAN AVE., PETITION FOR REZONING FROM "H" LIGHT INDUSTRIAL FILED BY WILLIAM NAKFOOR TO ALLOW FOR DEVELOPMENT OF THE SECOND FLOOR FOR USE AS RESIDENTIAL APARTMENTS

REFERRED TO THE MAYOR AND THE PLANNING BOARD

3. LETTER FROM DOLORES MAIDLOW-KRAMER REQUESTING THAT Z-05-97 AMENDED TO PREVENT INGRESS AND EGRESS OF TRAFFIC ONTO CAVANAUGH RD. AT THIS LOCATION

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

4. NOTICE FROM THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY-UNDERGROUND STORAGE TANK DIVISION OF CORRECTIVE ACTION REQUIRED BY GILMORE & SONS, INC. OF 1014 E. JOLLY RD. FOR THE REMOVAL OF ONE EIGHT HUNDRED GALLON GASOLINE UNDERGROUND STORAGE TANK

RECEIVED AND PLACED ON FILE

5. LETTER FROM DAN AND FAY LANTRIP OF 1123 W. WILLOW ST. PROTESTING A REZONING PETITION FILED BY ARBOR DRUGS FOR PROPERTY LOCATED AT WILLOW ST. AND N. M.L. KING, JR. BLVD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

6. LETTER FROM PHYLLIS HOBUS OF 2309 S. M.L. KING, JR. BLVD. PROTESTING Z-04-97, REZONING PETITION FILED BY ARBOR DRUGS FOR PROPERTY LOCATED IN THE AREA OF LENORE ST., MT. HOPE AVE., AND S. M.L. KING, JR. BLVD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

7. LETTER FROM PAUL J. MARKS OF 333 N. WAVERLY RD. OPPOSING Z-02-97; 519 N. CHESTNUT ST.

RECEIVED AND PLACED ON FILE

8. LETTER FROM LANSING TOWNSHIP SUBMITTING A RESOLUTION ADOPTED BY THEIR BOARD OF TRUSTEES ON APRIL 29, 1997 PETITIONING MEMBERSHIP AS A "PARTICIPATING MUNICIPALITY" OF THE CAPITAL AREA DISTRICT LIBRARY

REFERRED TO THE COMMITTEE OF THE WHOLE

9. LETTER FROM TODD BRUNST, OF DMR COMMERCIAL REAL ESTATE SERVICES, ON BEHALF OF VELMIER MT. HOPE, L.L.C., REQUESTING THAT THEIR PETITION FOR Z-04-97, BE PLACED ON HOLD WHILE THEY CONDUCT STUDIES AND ADDRESS THE CONCERNS OF THE CONCERNS OF THE PUBLIC

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER NOVAK INVITED LUCILLE ALFORD TO RETURN TO COUNCIL MEETINGS FOR PUBLIC COMMENT. HE STATED THAT HE DOES NOT LIKE TO BE REFERRED TO IN THE PAST TENSE. HE MAY NOT BE RUNNING FOR RE-ELECTION, HOWEVER, HE WILL BE AROUND FOR A LONG TIME. HE SAID THAT CLOSE SCRUTINY OF HIS OFFICE HOLDER ACCOUNT MONIES WOULD HAVE SHOWN THAT HE HAS SPENT MONEY ON WHISKEY BARRELS FOR NEIGHBORHOOD ASSOCIATIONS IN THE PAST.

COUNCILMEMBER BAUER SAID THAT SHE BROUGHT A RESOLUTION RELATIVE TO THE SPENDING OF OFFICE HOLDER ACCOUNT MONIES ON ALCOHOLIC BEVERAGES BECAUSE OF THE CONCERNS OF THE PUBLIC. THIS ACTION WAS NOT AIMED TOWARDS ANY ONE COUNCILMEMBER. THERE IS CURRENTLY NOTHING TO PROHIBIT THIS TYPE OF PURCHASE. THIS IS NOT A SIMPLE ISSUE, IT IS A COMPLEX ONE THAT NEEDS DISCUSSION AND REFINEMENT. OFFICE HOLDERS RECEIVE A \$2,000 PER YEAR ALLOWANCE TO HELP DEFRAY THE EXPENSE OF SERVING IN ELECTED OFFICE. THE PUBLIC MAY NOT REALIZE THAT, AS ELECTED OFFICIALS, THEY RECEIVE INVITATIONS IN THE MAIL EVERY WEEK THAT REQUIRE THEM TO PAY FOR DINNERS, ETC. THAT IS WHAT THE MAJORITY OF THESE FUNDS ARE USED FOR. AS REPRESENTATIVES OF THE CITY OF LANSING, THEY MUST ATTEND A GOOD NUMBER OF THESE EVENTS, AND IT WOULD BE PROHIBITIVELY EXPENSIVE IF THEY WERE TO HAVE TO PAY FOR IT FROM THEIR OWN POCKET. SHE COMMENDED SEXTON HIGH SCHOOL STUDENTS ON WINNING THE INGHAM COUNTY QUESTION BOWL AND EASTERN HIGH STUDENTS FOR THEIR PERFORMANCE AT THE ATHENA CONFERENCE. SHE COMMENDED THE LANSING FIRE DEPARTMENT EMT PROGRAM.

COUNCILMEMBER JONES SAID THAT HIS EXPENSE ACCOUNT MONEY IS SPENT ON FOOD, BECAUSE HE WILL NOT ALLOW LOBBYISTS TO TRY TO INFLUENCE HIS VOTE BY BUYING HIM FOOD. HE COMMENTED THAT IT IS THE COLD WEATHER THAT

IS RESPONSIBLE FOR THE TULIPS ON BARNES AVE. BEING IN BLOOM FOR OVER A MONTH. NEXT MONTH THE PEONIES WILL BE IN BLOOM.

COUNCILMEMBER BEAL SAID THAT THE STATE JOURNAL SHOULD KNOW BETTER THAN TO TRY TO ACCUSE COUNCIL OF VIOLATIONS OF THE OPEN MEETINGS ACT. SHE RECITED SEVERAL TIMES THIS YEAR THAT THE NEWSPAPER HAS FALSELY ACCUSED THE COUNCIL OF VIOLATING THIS ACT. SHE STATED THAT SHE HAS INVITED THE EDITORIAL STAFF OF THE NEWSPAPER TO MEETINGS SO THAT THE ACT CAN BE CLARIFIED FOR THEM. THESE ARTICLES CONCENTRATED THEIR EFFORTS ON ANALYZING SPENDING HABITS AMONG COUNCILMEMBERS, YET THE ADMINISTRATION CAN ARRANGE MEETINGS WITH MEMBERS OF THE EDC AND THEIR CLIENTS WHO ARE RECEIVING CITY FUNDING, TAKE THEM OUT FOR MEETINGS, PURCHASE ALCOHOLIC BEVERAGES, PAY FOR IT OUT OF GENERAL FUND ACCOUNTS, AND THIS IS NOT REPORTED. SHE REFERRED TO A MEETING AT THE CITY CLUB, IN WHICH SEVEN GLASSES OF CHARDONNAY WERE CONSUMED. THERE ARE SERIOUS ISSUES FACING THIS CITY, LIKE YOUNG PEOPLE KILLING EACH OTHER WITH SEMI-AUTOMATIC WEAPONS ON THE NORTH END OF TOWN. WE HAVE TO CONCENTRATE ON THESE TYPES OF THINGS.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER THANKED COUNCILMEMBERS AND THEIR STAFF, DEPARTMENT DIRECTORS, AND THE BUDGET STAFF FOR ALL THE WORK THAT HAS BEEN PUT IN ON THE FY 1997-1998 BUDGET. THEY HAVE SPENT MONTHS WORKING ON THIS PROJECT. HE REMINDED EVERYONE THAT THIS WEEKEND IS THE MEMORIAL DAY PARADE ON SATURDAY FROM 10:00 TO 11:00. THERE WILL BE A MEMORIAL SERVICE AT THE GRAVE OF THE UNKNOWN FIRE FIGHTER AT MT. HOPE CEMETERY TO HONOR FIRE FIGHTERS WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY, AS WELL AS A CEREMONY AT LITTLE ARLINGTON IN HONOR OF ALL OF THE VETERANS WHO HAVE DIED IN WARS.

HE SAID THAT THE ADMINISTRATION AND THE POLICE DEPARTMENT ARE TRYING VERY HARD TO UNDERSTAND THE DYNAMICS OF THE DEATHS ON THE NORTH END LAST WEEKEND. THEY ARE INVESTIGATING THE CIRCUMSTANCES AND WILL DO EVERYTHING IN THEIR POWER TO PREVENT THIS TYPE OF THING FROM HAPPENING AGAIN.

HE ADDRESSED THE CONTINUING COMPLAINTS SURROUNDING THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE, SAYING, THAT WE SHOULD ALL USE THIS CONFERENCE AS AN OPPORTUNITY TO COME TOGETHER AND WORK OUT OUR CONCERNS. THAT IS THE PURPOSE OF THE CONFERENCE. HE URGED EVERYONE TO TAKE ADVANTAGE OF THIS OPPORTUNITY.

LIZA ESTLUND OLSON SAID THAT MAYOR HOLLISTER SHARES THE OLDSMOBILE PARK SUITE WITH LEPPA AND CITY COUNCIL. ON THE OCCASIONS THAT THE MAYOR HAS USED THE SUITE THERE HAS NEVER BEEN ANY ALCOHOL PAID FOR BY CITY MONEY. ANY ALCOHOL THAT IS CONSUMED IS PAID

FOR BY THE INDIVIDUAL WHO ORDERED IT. THE REFERENCE PRESIDENT BEAL MADE TO AN ACTIVITY AT THE CITY CLUB, MAY NOT HAVE INCLUDED A CHARGE FOR ALCOHOL, IT COULD HAVE BEEN ICED TEA OR OTHER SOFT DRINKS THAT CAME FROM THE BAR AREA AND WAS DESCRIBED AS ALCOHOL.

**ADJOURNED 10:40 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS MAY 27, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER BENAVIDES

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF MAY 12, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LILLY; A REQUEST FOR SUSPENSION OF THE RULES TO ALLOW FOR THE ADDITION OF A SPECIAL CEREMONY FOR THE SISTER CITIES COMMISSION FOR RECOGNITION OF A DELEGATION OF STUDENTS ON THEIR RETURN FROM A VISIT TO OUR SISTER CITY, OTSU, JAPAN.

2. FROM COUNCILMEMBER LILLY; A REQUEST FOR SUSPENSION OF THE RULES TO ADD A PUBLIC HEARING ON REZONING ORDINANCE Z-07-97, 315 E. JOLLY RD., WHICH HAS BEEN DULY INTRODUCED AND PUBLISHED IN THE STATE JOURNAL

3. FROM COUNCILMEMBER LILLY; A RESOLUTION FOR GRANT ACCEPTANCE FROM THE CAPITAL REGION COMMUNITY FOUNDATION

4. FROM COUNCILMEMBER LEEMAN; A COMMUNICATION FROM THE RIVERPOINT NEIGHBORHOOD ASSOCIATION

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS

COUNCILMEMBER LEEMAN ANNOUNCED THAT WEDNESDAY, MAY 28, 1997, AT 7:00 P.M. AT FENNER ARBORETUM NATURE CENTER THERE WILL BE A MEETING FOR RESIDENTS WHO LIVE ALONG MT. HOPE, BETWEEN AURELIUS AND EAST LANSING, REGARDING THE RECONSTRUCTION PROJECT ON MT. HOPE. ALSO, THE ANNUAL NORTH LANSING HERITAGE FESTIVAL WILL BE HELD MAY 30 - 31, 1997 FROM 11:30 A.M. TO 11:00 P.M. THEY WILL FEATURE, LIVE MUSIC, RIDES, FOOD, PRINTS FOR LIFE, A 50/50 DRAWING AND A DUNK TANK.

COUNCILMEMBER BEAL ANNOUNCED THE 14TH INTERNATIONAL AIDS CANDLELIGHT MEMORIAL VIGIL AT FRANCES PARK THIS SUNDAY, JUNE 1, 1997 AT 7:30 P.M.

MAYOR HOLLISTER ANNOUNCED A CEREMONY HONORING THE AMERICORP VOLUNTEERS THIS FRIDAY. INTERESTED PARTIES MAY CONTACT ANITA MONEYPENNEY AT 372-4109 FOR MORE INFORMATION.

THE MAYOR ALSO ANNOUNCED A CULTURAL DIVERSITY SYMPOSIUM THIS FRIDAY MORNING, MAY 30, 1997 AT THE LANSING CENTER. THEY WILL FEATURE GUEST SPEAKER, MARK GURZON, AUTHOR OF "A HOUSE DIVIDED."

HE ANNOUNCED MEMORIAL SERVICES TO BE HELD THIS WEEKEND; ONE IN EVERGREEN CEMETERY AND ONE AT THE LITTLE ARLINGTON MEMORIAL.

► SPECIAL CEREMONIES

A. MAYOR HOLLISTER, ALONG WITH COUNCILMEMBER JONES, INTRODUCED AMERICORPS VOLUNTEERS WHO HAVE BEEN WORKING IN LANSING AND MASON SINCE APRIL 13TH, AND THANKED THEM FOR THEIR WORK ON OUR BEHALF. THEY HAVE CONCENTRATED THEIR EFFORTS ON POTTER PARK, CEASER/DONORA PARK AND "GROWING IN PLACE", AN ORGANIC GARDENING PROJECT IN MASON.

B. MAYOR HOLLISTER, ALONG WITH COUNCIL PRESIDENT BEAL, INTRODUCED MRS. PHILLIPS AND A DELEGATION OF 14 STUDENTS THAT SHE CHAPERONED ON A TRIP TO OTSU, JAPAN. THE STUDENTS WERE COMMENDED ON THEIR EXCELLENT ACADEMIC STANDING, A PREREQUISITE FOR PARTICIPATION IN THIS PROGRAM, AND ASKED TO DESCRIBE THEIR EXPERIENCES.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC HEARINGS

1. Z-05-97; 411 AND 415 E. CAVANAUGH RD., PETITION FOR REZONING FROM "A" RESIDENTIAL TO "F" COMMERCIAL DISTRICTS FILED BY VELMEIR CO., L.L.C. TO

## ALLOW FOR CONSTRUCTION OF A RETAIL PHARMACY

TODD BRUNST, NO ADDRESS GIVEN, SPOKE IN SUPPORT OF THIS REZONING ON BEHALF OF VELMIER CORP. ARBOR DRUGS IS REALLY A THROWBACK TO THE OLD "NEIGHBORHOOD DRUG STORE" CONCEPT. THEY OPERATE LIKE THE OLDER DRUG STORES USED TO DO. THEY HAVE BEEN AROUND FOR MANY YEARS AND LIKE TO BE LOCATED IN THE COMMUNITIES THAT THEY SERVE. THEIR CORPORATE HEADQUARTERS IS LOCATED IN TROY, MI. WITH 200 STORES IN THE STATE, THEY ARE THE SECOND LARGEST DRUG STORE IN MICHIGAN.

KELLY PROPER OF 111 E. CAVANAUGH SPOKE IN SUPPORT OF THE ARBOR DRUG STORE REZONING AT THE CORNER OF CAVANAUGH AND S. CEDAR ST. THEY DO HAVE SOME CONCERNS REGARDING THE PLANS FOR INGRESS AND EGRESS TO THIS PROPERTY, BUT THEY ARE WORKING WITH ARBOR DRUGS TO RESOLVE THOSE PROBLEMS BY TURNING THEIR BUILDING AROUND TO FACE CEDAR ST. RATHER THAN CAVANAUGH RD. THE COMPANY HAS BEEN VERY COOPERATIVE. THEY WILL WORK THIS OUT TOGETHER.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. Z-06-97; 810 W. SAGINAW, PETITION FOR REZONING FROM "D-1" PROFESSIONAL OFFICE TO "F" COMMERCIAL DISTRICTS FILED BY NELSON E. GILROY, CAPITAL INSURANCE SERVICES CORP. TO ALLOW FOR THE DEVELOPMENT OF OFF-STREET PARKING

CAROL WOODS, NO ADDRESS GIVEN, SAID THAT SHE WOULD LIKE TO SEE THIS COMPANY ISSUED A VARIANCE, OR A SPECIAL USE PERMIT, RATHER THAN A REZONING OF THIS PROPERTY. IF THIS PROPERTY IS REZONED AS COMMERCIAL, THAT ZONING WILL STAND, EVEN IF THE PROPERTY IS SOLD TO SOMEONE ELSE.

STEPHANIE WHITBECK OF 610 E. IONIA SPOKE IN SUPPORT OF THE COMMENTS MADE BY THE PREVIOUS SPEAKER. SHE, TOO, WOULD LIKE TO SEE VARIANCES ISSUED RATHER THAN A REZONING OF THIS PROPERTY.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. Z-07-97; 315 E. JOLLY RD. PETITION FOR REZONING FROM "F" COMMERCIAL, "G-2" WHOLESALE AND "U" PARKING TO "F" COMMERCIAL DISTRICT, FILED BY DESIGN PINNACLE ARCHITECT, ON BEHALF OF LOUIE BOJI, OWNER OF COMPUTER WAREHOUSE, TO ALLOW FOR THE ADDITION OF OFFICE AND WAREHOUSE SPACE AND CONSTRUCTION OF A POWERHOUSE GYM FACILITY

LLOYD TEETS OBJECTED TO THE LACK OF INFORMATION AVAILABLE ABOUT THIS ITEM, WHICH WAS PLACED ON THE AGENDA UNDER SUSPENSION OF THE RULES. HE REQUESTED INFORMATION AS TO THE PLANS FOR THIS PROPERTY.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

► LEGISLATIVE MATTERS

WILLIAM HUBBELL OF 4516 WEDGEWOOD SPOKE REGARDING THE RECOMMENDATION OF THE MEMORIAL REVIEW BOARD FOR MEMORIAL BERMS LOCATED IN THE WASHINGTON SQUARE MALL.

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN SUPPORT OF THE REAPPOINTMENT OF WILLIAM HUBBELL TO THE MEMORIAL REVIEW BOARD, AS WELL AS THE RECOMMENDATION FROM THE BOARD FOR THE DESIGNATION OF WASHINGTON SQUARE MALL MEMORIAL BERMS. HE COMMENDED THE COUNCIL FOR THE RESOLUTION AUTHORIZING THE DISTRIBUTION OF POTTER PARK ZOO PASSES TO THE LANSING NEIGHBORHOOD COUNCIL. THIS SHOWS THAT CITY COUNCIL HAS BECOME MORE NEIGHBORHOOD FRIENDLY.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SPOKE IN SUPPORT OF THE APPROPRIATION OF COMMUNITY PROMOTION FUNDS FOR THE NORTH LANSING ASSOCIATION HERITAGE FESTIVAL.

**LEGISLATIVE MATTERS  
RESOLUTIONS**

**RESOLUTION #277**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$20,000 IN THE FY97 GENERAL FUND BUDGET TO THE COMMUNITY PROMOTIONS ACCOUNT, FOR THE PURPOSE OF ASSISTING WITH THE EXPENSES OF LARGE COMMUNITY-ORIENTED EVENTS; AND

WHEREAS, A REVIEW OF THE REQUEST WAS MADE FOR PAYMENT OF SUCH EXPENSES IN THE AMOUNT OF \$350.00, COVERING PARKS DEPARTMENT SHOWMOBILE FEES FROM THE NORTH LANSING COMMUNITY ASSOCIATION, FOR THE NORTH LANSING HERITAGE FESTIVAL ON MAY 30 AND 31, 1997; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY AUTHORIZES CHARGES IN THE AMOUNT OF \$350.00 TO ACCOUNT #101-173901-741289-0; AND

AND BE IT FURTHER RESOLVED THIS PAYMENT SHALL BE MADE BY MEANS OF AN INTERDEPARTMENTAL VOUCHER TO BE GENERATED BY THE PARKS AND RECREATION DEPARTMENT.

BY COUNCILMEMBER BENAVIDES

TO DISCHARGE THE COMMITTEE ON GENERAL SERVICES FROM CONSIDERATION OF THIS ITEM, AND TO PLACE AN AFFIRMATIVE ROLL ON THIS RESOLUTION

CARRIED UNANIMOUSLY

**RESOLUTION #278**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON MAY 31, 1997 A TESTIMONIAL DINNER WILL



BE HELD IN HONOR OF EDMUND KOWALSKI AT THE POLISH FEDERAL HOME; AND

WHEREAS, EDMUND KOWALSKI WAS BORN IN LANSING IN 1912, SPENT THE NEXT NINE YEARS IN POLAND WITH HIS PARENTS BEFORE RETURNING TO LANSING IN 1922, WHERE HE ATTENDED CHRISTENCY ELEMENTARY AND EASTERN HIGH SCHOOL; AND

WHEREAS, EDMUND WORKED FOR BOTH THE MOTOR WHEEL CORPORATION AND, IN TURN, FISHER BODY PRIOR TO BECOMING A LANSING POLICE OFFICER IN 1936 WHERE HE WAS PROMOTED TO SERGEANT IN 1957, AND TO LIEUTENANT IN 1960 BEFORE RETIRING IN 1972 AFTER 36 YEARS OF SERVICE, AFTER WHICH HE WAS EMPLOYED BY JUDGE JAMES KALLMAN AS A COURT OFFICER FROM 1973 TO 1982; AND

WHEREAS, EDMUND HAS BEEN A MEMBER OF THE WHITE EAGLES GROUP 42 SINCE 1930, INCLUDING FINANCIAL SECRETARY SINCE 1943, WAS THE FEDERATED POLISH HOME MANAGER FROM 1982 TO 1994, AND HAS BEEN A MEMBER OF THE BOARD OF DIRECTOR'S OF THE FEDERATED POLISH HOME FOR THE PAST TWENTY-FIVE YEARS INCLUDING SERVICE AS CHAIRPERSON AND TREASURER ON MULTIPLE OCCASIONS.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 27TH DAY OF MAY, 1997, HEREBY COMMENDS AND CONGRATULATES EDMUND KOWALSKI FOR HIS LIFELONG COMMITMENT TO THE POLISH COMMUNITY AND TO THE LANSING COMMUNITY: AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL EXTENDS THEIR MOST SINCERE WISH TO EDMUND AND FAMILY FOR HEALTH AND HAPPINESS IN THE FUTURE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #279**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON MAY 31, 1997 A TESTIMONIAL DINNER WILL BE HELD IN HONOR OF ANNA BIELECKI AT THE POLISH FEDERAL HOME; AND

WHEREAS, ANNA BIELECKI WAS BORN IN POLAND ON MAY 17, 1917, AND ARRIVED IN LANSING MICHIGAN IN 1936 WHERE SHE MARRIED STEVE BIELECKI; AND

WHEREAS, ANNA BECAME A MEMBER OF THE POLISH FALCONS IN 1940 AND IS A RECIPIENT OF THE GOLD LEGION OF HONOR CROSS, THE HIGHEST HONOR BESTOWED BY THE NATIONAL OFFICE, AND IS ALSO A RECIPIENT OF THE GOLD POLISH FALCON EAGLE FOR FIFTY YEARS OF MEMBERSHIP WITH THIS ORGANIZATION; AND

WHEREAS, ANNA HAS DEDICATED HERSELF TO HER HERITAGE, HER CHURCH, AND HER COMMUNITY AS EVIDENCED BY HER COUNTLESS HOURS OF VOLUNTEER SERVICE TO ORGANIZATIONS IN THE POLISH FEDERATED HOME, AND TO

ST. CASIMIR PARISH.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 27TH DAY OF MAY, 1997, HEREBY COMMENDS AND CONGRATULATES ANNA BIELECKI FOR HER LIFELONG COMMITMENT TO THE POLISH COMMUNITY AND TO THE LANSING COMMUNITY: AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL EXTENDS THEIR MOST SINCERE WISH TO ANNA AND FAMILY FOR HEALTH AND HAPPINESS IN THE FUTURE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #280**

BY COUNCILMEMBER JOAN BAUER  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT THE END OF MAY, 1997 HILDA PATRICIA CURRAN, KNOWN TO HER MANY FRIENDS AND ADMIRERS AS PAT, WILL RETIRE AFTER ALMOST THIRTY YEARS OF SERVICE TO STATE AND COMMUNITY; AND

WHEREAS, PAT'S DEVOTION TO THE LANSING AREA INCLUDES SERVICE TO LOCAL GOVERNMENT AS A FOUNDING MEMBER OF THE PUBLIC HOUSING AUTHORITY, MEMBER OF THE MODEL CITIES HOUSING TASK FORCE, CHAIR OF THE RIVER ISLAND NEIGHBORHOOD PLANNING COMMITTEE-MASTER PLAN DEVELOPMENT, CHAIR, VICE CHAIR AND MEMBER OF THE ZONING BOARD OF APPEALS, AND MEMBER OF THE LANSING HOUSING COMMISSION; AND

WHEREAS, PAT'S DEDICATION HAS ALSO LED TO HER INVOLVEMENT AS VICE-PRESIDENT AND MEMBER OF THE SALVATION ARMY BOARD, THREE TIME PRESIDENT AND MEMBER OF THE YWCA OF GREATER LANSING BOARD, AND A SUBSTANTIAL ROLE IN BIG BROTHERS/BIG SISTERS OF GREATER LANSING INCLUDING SERVING AS A BIG SISTER, VOLUNTEER CASE WORKER, AND BOARD MEMBER AMONG OTHER ROLES FROM 1968 TO THE PRESENT; AND

WHEREAS, PERHAPS PAT'S MOST NOTABLE ACHIEVEMENT WAS HER INVOLVEMENT IN ESTABLISHING THE GREATER LANSING FOOD BANK IN 1982, THE FIRST IN THE NATION AND NOW EMULATED NATION-WIDE, FOR WHOM HER CONTINUOUS SERVICE HAS INCLUDED PRESIDENT, VICE CHAIR, AND TREASURER.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 27TH DAY OF MAY, 1997, HEREBY OFFERS THEIR MOST HEARTFELT APPRECIATION TO PATRICIA CURRAN, AND COMMENDS HER LIFELONG COMMITMENT TO THE WELFARE OF OTHERS THAT HAS TRULY TOUCHED LITERALLY THOUSANDS OF LIVES; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL, ON BEHALF OF ALL LANSING RESIDENTS, WISHES PAT HEALTH AND HAPPINESS IN HER FUTURE ENDEAVORS WHICH, UNDOUBTEDLY, WILL INCLUDE CONTINUATION OF HER LEGACY OF CARING FOR OTHERS.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

**RESOLUTION #281**

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
APPROVAL OF AGREEMENT FOR  
SALE OF AIR RIGHTS  
AND DEVELOPMENT OF  
PARKING LOT 2, SITE B-1  
SW CORNER OF NORTH CAPITOL AVENUE  
AND WEST SHIAWASSEE STREET  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING DESIRES TO SELL THE AIR RIGHTS AND OTHER REAL PROPERTY INTERESTS ON PARKING LOT 2, COMMONLY KNOWN AS SITE B-1 AND LOCATED ON THE SOUTHWEST CORNER OF NORTH CAPITOL AVENUE AND WEST SHIAWASSEE STREET, TO THE JONNA REALTY VENTURES, INC. TO ENABLE THEM TO DEVELOP A RESIDENTIAL HOUSING CONDOMINIUM COMPLEX TO INCLUDE BETWEEN SEVENTY-EIGHT (78) AND ONE HUNDRED (100) UNITS; AND

WHEREAS, AN AGREEMENT FOR THE SALE OF THE AIR RIGHTS AND OTHER REAL PROPERTY INTERESTS, AND DEVELOPMENT OF CONDOMINIUM COMPLEX IN CONJUNCTION WITH THE DEVELOPMENT OF A PARKING RAMP BY THE CITY, HAS BEEN PREPARED AND REVIEWED BY BOTH PARTIES; AND

WHEREAS, THE AGREEMENT SPECIFIES DUTIES AND OBJECTIVES THAT MUST BE MET BY THE CITY AND JONNA DURING AN ESTABLISHED CONTINGENCY PERIOD AND OTHER TIME FRAMES AS A CONDITION PRECEDENT TO COMPLETING THE TRANSACTION AND IMPLEMENTING THE DEVELOPMENT ON THE SITE; AND

WHEREAS, JONNA HAS SIGNED AND DELIVERED A PURCHASE OFFER ENTITLED AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND JONNA REALTY VENTURES, INC. REGARDING SALE OF SITE B-1 TO PURCHASE THE AIR RIGHTS AND OTHER REAL PROPERTY INTERESTS AND TO DEVELOP THE SITE; AND

WHEREAS, THE CONTRACT FOR SALE WAS PLACED ON FILE WITH THE CITY CLERK 30 DAYS PRIOR TO THE MAY 12, 1997 PUBLIC HEARING HELD ON THE PROPOSED SALE, ALL IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER AND THE LANSING CODE OF ORDINANCES;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE AGREEMENT BETWEEN THE CITY OF LANSING AND JONNA REALTY VENTURES, INC., WHICH AGREEMENT INCLUDES THE SALE OF AIR RIGHTS AND OTHER REAL PROPERTY INTERESTS ON SITE B-1, LEGALLY DESCRIBED AS:

THE NORTH 186 FEET OF BLOCK 84, ORIGINAL PLAT OF THE TOWN OF MICHIGAN, NOW CITY OF LANSING, INGHAM COUNTY MICHIGAN

TO JONNA REALTY VENTURES, INC. FOR THE STIPULATED SUM OF \$369,000.00 AND OTHER CONSIDERATION ACCORDING TO SAID AGREEMENT.

BE IT FINALLY RESOLVED THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO RESOLVE CONTINGENCIES, EFFECTUATE THE SALE AND DEVELOP THE PROPERTY, INCLUDING AND ACCORDING TO THE AGREEMENT TO SELL EXECUTED APRIL 30, 1997 BY JONNA REALTY VENTURES, INC. WHICH INCLUDES THE DEVELOPMENT PROPOSAL, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #282**

BY COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
RESOLUTION TO ESTABLISH  
NEIGHBORHOOD ENTERPRISE ZONES

WHEREAS, THE CITY OF LANSING CONTINUES TO PROMOTE THE EFFORT TO IMPROVE NEIGHBORHOODS BY IMPROVING EXISTING HOUSING, PROMOTING HOME OWNERSHIP AND FACILITATING CONSTRUCTION OF NEW HOUSING IN THE CITY; AND

WHEREAS, PUBLIC ACT 147, 1992 OF THE STATE OF MICHIGAN, THE NEIGHBORHOOD ENTERPRISE ZONE ACT, WAS ENACTED TO ENCOURAGE NEW HOUSING CONSTRUCTION AND RENOVATION OF EXISTING HOMES IN OLDER ESTABLISHED CITIES IN THE STATE, INCLUDING THE CITY OF LANSING, BY ALLOWING COMMUNITIES TO GRANT TAX ABATEMENT ON SPECIFIC RESIDENTIAL PROPERTIES LOCATED WITHIN DISTRICTS DESIGNATED BY THE COMMUNITY; AND

WHEREAS, AS REQUIRED BY P.A. 147 OF 1992, THE CITY ASSESSOR AND EACH TAXING UNIT WAS NOTIFIED ON MARCH 26, 1997 OF THE CITY'S INTENT TO ESTABLISH A NEIGHBORHOOD ENTERPRISE ZONE, AND RECEIVED THE NOTICE NOT LESS THAN 60 DAYS PRIOR TO THE DESIGNATION OF A NEIGHBORHOOD ENTERPRISE ZONE; AND

WHEREAS, AS REQUIRED BY P.A. 147 OF 1992, PRIOR TO ACTING ON THIS REQUEST, ON APRIL 21, 1997 A PUBLIC HEARING WAS HELD ON THE ESTABLISHMENT OF A NEIGHBORHOOD ENTERPRISE ZONE. THE PUBLIC HEARING WAS HELD NOT LATER THAN 45 DAYS AFTER NOTIFICATION OF THE TAXING UNITS; AND

WHEREAS, AS REQUIRED BY P.A. 147 OF 1992, THE CITY COUNCIL 1) ADOPTED A HOUSING INSPECTION CODE ORDINANCE, 2) MADE A FINDING THAT THE PROPOSED NEIGHBORHOOD ENTERPRISE ZONES WERE CONSISTENT WITH THE MASTER PLAN, AND THE NEIGHBORHOOD PRESERVATION AND ECONOMIC GOALS OF THE CITY, AND 3) FOUND THAT THE GOALS, OBJECTIVES AND POLICIES PREPARED FOR THE FIVE YEAR U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT CONSOLIDATED PLAN AND THE *GOALS & OBJECTIVES FOR THE TWENTY-FIRST CENTURY* AS ADOPTED BY THE CITY COUNCIL MEET THE INTENDED GOALS, OBJECTIVES AND POLICY FOR THE NEIGHBORHOOD ENTERPRISE ZONES RELATIVE TO THE MAINTENANCE, PRESERVATION, IMPROVEMENT, AND DEVELOPMENT OF HOUSING FOR ALL PERSONS REGARDLESS OF INCOME LEVEL LIVING WITHIN THE

NEIGHBORHOOD ENTERPRISE ZONE; AND

WHEREAS, AS REQUIRED BY P.A. 147 OF 1992, THE CITY COUNCIL HAS BEEN FURNISHED THE AMOUNT OF THE TRUE CASH VALUE OF THE PROPERTY LOCATED WITHIN THE PROPOSED NEIGHBORHOOD ENTERPRISE ZONE AS DOCUMENTED IN AN EXHIBIT TITLED LANSING NEIGHBORHOOD ENTERPRISE ZONES T.C.V. FOR 1997, PREVIOUSLY PLACED ON FILE WITH THE CITY CLERK;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY ESTABLISHES THE NEIGHBORHOOD ENTERPRISE ZONES FOR THE PROMOTION OF NEW CONSTRUCTION OF SINGLE FAMILY OR CONDOMINIUM UNITS AND/OR THE REHABILITATION OF EXISTING STRUCTURES, AS LISTED BY PARCEL NUMBER ON SAID EXHIBIT TITLED LANSING NEIGHBORHOOD ENTERPRISE ZONES T.C.V. 1997, AS FILED WITH THE CITY CLERK.

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION THROUGH ITS CONTRACTUAL OBLIGATION WITH THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING BE AUTHORIZED TO IMPLEMENT THIS PROGRAM IN ACCORDANCE WITH P.A. 147, OF 1992.

BE IT FINALLY RESOLVED THAT THE CITY CLERK FORWARD A CERTIFIED COPY OF THIS RESOLUTION AND SAID EXHIBIT TITLED LANSING NEIGHBORHOOD ENTERPRISE ZONES T.C.V. 1997, AS FILED, TO THE STATE TREASURY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #283

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

#### PUBLIC IMPROVEMENT III

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT II ADOPTED BY THIS COUNCIL ON FEBRUARY 24, 1997, THE CITY ASSESSOR HAS COMPLETED THE ASSESSMENT ROLL FOR CURB AND GUTTER, AND FURNISHED THE FOLLOWING INFORMATION:

#### PROJECT TITLE:

CAVANAUGH ROAD RECONSTRUCTION P.S. #67060 -  
PENNSYLVANIA AVENUE TO AURELIUS ROAD

#### PROPERTY BENEFITTED

#### CURB AND GUTTER:

ALL LANDS FRONTING ON CAVANAUGH ROAD FROM THE RAILROAD TRACKS TO 70 METERS EAST OF AURELIUS ROAD, EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

#### ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #330	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$ 19,255.60	\$49,555.92
OTHER COSTS	<u>\$775,734.93</u>	<u>0.00</u>
TOTAL COSTS	\$794,990.53	\$49,555.92

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, JUNE 9, 1997, AT 7:00 PM, IN THE COUNCIL CHAMBERS, TO REVIEW, PRIOR TO CONFIRMATION, SAID ASSESSMENT ROLL; AND

BE IT FURTHER RESOLVED THAT THE CITY CLERK AND THE PUBLIC SERVICE DIRECTOR ARE HEREBY REQUESTED TO GIVE DUE NOTICE OF THIS PUBLIC HEARING AS PROVIDED BY CHAPTER 1020, SECTION 1026.06(C)(1), OF THE CODE OF ORDINANCES BY PUBLISHING A NOTICE OF A PUBLIC HEARING IN A DAILY NEWSPAPER OF THE CITY, NOT MORE THAN TWENTY DAYS AND NOT LESS THAN TEN DAYS BEFORE SUCH PUBLIC HEARING. SAID NOTICE SHALL INCLUDE THE TIME AND PLACE OF THE HEARING; A DESCRIPTION OF THE

SECTION OR AREA OF THE CITY DETERMINED BY COUNCIL TO BE WITHIN THE ASSESSMENT DISTRICT AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL; WHERE THE SPECIAL ASSESSMENT ROLL IS ON FILE AND MAY BE EXAMINED; THAT ANY PERSON AGGRIEVED BY THE ASSESSMENTS AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL, OR THE NECESSITY OF THE IMPROVEMENT, MAY FILE A WRITTEN OBJECTION THERETO WHICH MUST BE DELIVERED TO THE CITY CLERK PRIOR TO THE CLOSE OF THE HEARING, OR THE PERSON MAY APPEAR AND PROTEST THE SAME AT THE PUBLIC HEARING IN PERSON OR BY HIS OR HER REPRESENTATIVE; THAT THE APPEARANCE AND PROTEST OR WRITTEN PROTEST IN THE MANNER DESCRIBED IS REQUIRED IF THE PERSON DESIRES TO APPEAL THE AMOUNT OF THE ASSESSMENT TO THE MICHIGAN TAX TRIBUNAL; AND THAT ANY APPEAL TO THE MICHIGAN TAX TRIBUNAL MUST BE TAKEN WITHIN THIRTY DAYS OF THE CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, PROVIDED A PROTEST WAS TIMELY MADE.

BE IT FINALLY RESOLVED, THAT PURSUANT TO THE REQUIREMENT OF 1962 PA 162, AS AMENDED, MCL 211.741, ET SEQ.; MSA 5.3534(L), ET SEQ., APPEARANCE AND PROTEST AT THE HEARING IN THE SPECIAL ASSESSMENT PROCEEDINGS IS REQUIRED IN ORDER TO APPEAL THE AMOUNT OF THE SPECIAL ASSESSMENT TO THE STATE TAX TRIBUNAL. AN OWNER OR PARTY IN INTEREST, OR HIS OR HER AGENT MAY APPEAR IN PERSON AT THE HEARING TO PROTEST THE SPECIAL ASSESSMENT, OR SHALL BE PERMITTED TO FILE HIS OR HER APPEARANCE OR PROTEST BY LETTER AND HIS OR HER PERSONAL APPEARANCE SHALL NOT BE REQUIRED.

I HEREBY CERTIFY THAT FUNDS ARE AVAILABLE FOR THE CITY OF LANSING'S SHARE OF SAID PROJECT IN ACCOUNTS AS FOLLOWS:

	ACCOUNT NUMBER	
CITY SHARE OF C&G	\$19,255.60	202 453601 974100 50002
CITY SHARE OF OTHER COST	\$188,224.35	202 453601 974100 50002
S.T.P. SHARE OF COSTS	\$ 587,510.58	FEDERAL SHARE
ASSESSMENT ROLL # 330	\$ 49,555.92	404 933601 974100 12065

CHARLES S. REMENAR,  
DEPUTY CITY CONTROLLER

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #284

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED WILLIAM HUBBEL,  
3916 WEDGEWOOD ROAD, TO THE MEMORIAL REVIEW  
BOARD;

WHEREAS, THE COMMITTEE HAS REVIEWED HIS APPLICATION  
FOR MEMBERSHIP AND RECOMMENDS THAT THE CITY COUNCIL  
CONFIRM HIS REAPPOINTMENT;

NOW, THEREFORE BE IT FINALLY RESOLVED THAT WILLIAM  
HUBBEL BE REAPPOINTED TO THE MEMORIAL REVIEW BOARD  
FOR TERM TO EXPIRE IN JUNE, 2001.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #285

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR'S STAFF TO THE MEMORIAL REVIEW  
BOARD SUBMITTED A LETTER TO THE CITY COUNCIL RELAYING  
THE MEMORIAL REVIEW BOARD'S RECOMMENDATION FOR THE  
CREATION AND NAMING OF BERMS ALONG SOUTH WASHINGTON  
MALL; AND

WHEREAS, THE BOARD SUPPORTED THE CONCEPT OF  
DESIGNATING BERMS ON SOUTH WASHINGTON MALL TO  
HONOR BUSINESSES AND ORGANIZATION WHICH ARE 100  
YEARS OLD AND TO CREATE "CENTURY ROW"

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #286

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, LANSING NEIGHBORHOOD ORGANIZATIONS HAVE  
BEEN RECEIVING POTTER PARK ZOO PASSES SINCE 1994  
FOR DISTRIBUTION TO NEIGHBORHOOD GROUPS; AND

WHEREAS, THESE PASSES WAIVE PARKING AND ADMISSION  
FEES FOR ONE VISIT TO THE ZOO FOR A FAMILY; AND

WHEREAS, THESE PASSES ARE TO BE USED AS REWARDS  
AND/OR TO ENABLE FAMILIES TO VISIT THE ZOO WHO WOULD  
OTHERWISE BE UNABLE TO AFFORD THE PARKING AND  
ADMITTANCE FEES; AND

WHEREAS, THE LANSING NEIGHBORHOOD COUNCIL HAS  
REQUESTED 500 PASSES FOR DISTRIBUTION ONCE AGAIN  
THIS YEAR;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING  
CITY COUNCIL AUTHORIZES THE DISTRIBUTION OF 500  
PASSES THROUGH THE LANSING NEIGHBORHOOD COUNCIL.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #287

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED:

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$424,464	PRINCIPAL SHOPPING DISTRICT 101-834101- 960210-0	
\$378,244		ESTIMATED REVENUE- GENERAL FUND 101-0- 170001-0
\$ 32,500		OPERATING TRANSFER 101- 966000-991298-0
\$13,720		FUND BALANCE-GENERAL FUND 101-0-390001-0
\$424,464	ESTIMATED REVENUE- PRINCIPAL SHOP. DISTR. FUND 298-0-170001-0	
\$ 52,900		PSD: PERSONAL SERVICES 298-173904-701000-0
\$367,364		PSD: OPERATING EXPENSES 298-173904-741000-0
\$ 4,200		PSD: EQUIPMENT 298- 173904-977000-0

(ADJUST GENERAL FUND APPROPRIATION FOR ESTABLISHMENT

OF PSD SPECIAL REVENUE FUND, PER ACCOUNTING REQUIREMENTS. REVENUE DETAIL ACCOUNTS, GENERAL FUND-101-O-626000 (ZONE A-\$328,150), 101-O-626001 (ZONE B-\$19,244), 101-O-390001 (ZONE C-\$30,850); PSD FUND 298-O-672001 (SPECIAL ASSESSMENTS \$386,146), 298-O-604001 (Co-op PROGRAM-\$2,318), 298-O-494000 (ACTIVITY PERMITS-\$3,500), 298-O-696101 (OPERATING TRANSFER G.F.-\$32,500).

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$175,000	STORMWATER FUND-NDPES PERMIT 230-453684-973301-0	CONTRACTUAL SERVICES 230-453603-743000-0

(CONSULTANT SERVICES TO REVIEW CURRENT CSO PLAN, AS REQUESTED BY CITY COUNCIL AND THE MAYOR. TRANSFER FUNDS 50% STORMWATER FUND SHARE OF STUDY. FUNDING FOR SEWAGE FUND SHARE IS ALREADY IN A CORRECT ACCOUNT.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$11,000	GEN ADMIN-EST VACANCIES 101-173901-701001-0	GEN ADMIN-CONTROL 101-173901-992200-0
\$11,000	GEN ADMIN-CONTROL 101-173901-992200-0	FIRE DEPT.-CONTROL 101-343501-992200-0
\$11,000	FIRE DEPT. CONTROL 101-343501-992200-0	FIRE-SUPPRESSION SALARIES 101-343520-702000-0

(ADDITIONAL COST TO HIRE TEN RECRUITS EFFECTIVE JUNE 8, 1997. PER SEPARATE RESOLUTION BEFORE CITY COUNCIL, THE DEPARTMENT WILL EXCEED THE AUTHORIZED TABLE OF ORGANIZATION BY ONE POSITION THROUGH JULY 8, PENDING A KNOWN RETIREMENT. TRANSFER WILL ALLOW ALL NEW FIREFIGHTERS TO BE TRAINED SIMULTANEOUSLY.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$86,603	EST REV-ACT 51 202-0-170001-0	SPECIAL AUTHORIZATIONS 202-453633-746703-0

(SPECIAL AUTHORIZATIONS FOR TRAFFIC SIGNAL MODERNIZATION AT GRIND RIVER AND LARCH, CEDAR AND GRAND RIVER, AND FOR CITYWIDE CONTROLLER UPGRADES. REVENUE DETAIL ACCOUNT 202-O-617900.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #288

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, GRANT FUNDS HAVE BEEN MADE AVAILABLE THROUGH THE U.S. DEPARTMENT OF JUSTICE FOR

RESEARCH INTO THE EFFECTIVE IMPLEMENTATION OF COMMUNITY POLICING TECHNIQUES IN VARIOUS MUNICIPALITIES; AND

WHEREAS, THE LANSING POLICE DEPARTMENT AND THE MICHIGAN STATE UNIVERSITY DEPARTMENT OF CRIMINAL JUSTICE HAVE RECEIVED AN AWARD FOR GRANT FUNDING IN THE TOTAL AMOUNT OF \$117,631 FOR THE PURPOSE OF SUCH STUDY; AND

WHEREAS, THE GRANT WOULD INCLUDE FUNDING TO COVER PERSONNEL AND OTHER COSTS RELATED TO THE SECOND YEAR OF A TWO-YEAR STUDY OF THE IMPLEMENTATION, OPERATION, AND PERFORMANCE EVALUATION OF THE COMMUNITY POLICING APPROACH UTILIZED IN LANSING, AS WELL AS TO GAIN AN UNDERSTANDING OF POLICE OFFICERS' INFORMATIONAL NEEDS AND SUITABLE TECHNOLOGICAL APPLICATIONS TO MEET THOSE NEEDS; AND

WHEREAS, THERE WOULD BE NO MATCHING FUNDS COST TO THE CITY; AND

WHEREAS, THE GRANT FUNDS WILL COVER PERSONAL SERVICES (OVERTIME AND FRINGE BENEFITS FOR CURRENT STAFF, TOTAL \$13,187) AND THE REMAINDER WOULD BE FOR SUBCONTRACTS WITH MICHIGAN STATE UNIVERSITY AND WITH A CONTRACT PROGRAMMER ANALYST, FOR THE DEVELOPMENT OF A COMPUTER INTERFACE FOR USE WITH THE LAPTOP COMPUTERS BY OFFICERS ON PATROL AND COMMUNITY POLICING; AND

WHEREAS, THE MAYOR HAS RECOMMENDED ACCEPTANCE OF THE GRANT;

NOW, THEREFORE, BE IT RESOLVED, THE LANSING CITY COUNCIL APPROVES ACCEPTANCE OF FEDERAL GRANT FUNDS IN THE AMOUNT OF \$117,631 FOR A CONTINUATION OF THE EVALUATION OF COMMUNITY POLICING IN LANSING, AND OF INFORMATION REQUIREMENTS AND SYSTEMS DEVELOPMENT REQUIRED FOR AN EFFECTIVE COMMUNITY POLICING EFFORT, TO BE PERFORMED IN CO-OPERATION WITH THE MSU DEPARTMENT OF CRIMINAL JUSTICE, TO BE CONDUCTED BETWEEN JANUARY 1 AND DECEMBER 31, 1997; AND

BE IT FINALLY RESOLVED, THAT THE CITY COUNCIL HEREBY AUTHORIZES THE ADMINISTRATION TO ACCEPT THE GRANT AND TO ADMINISTRATIVELY TRANSFER FUNDS IN ORDER TO CREATE APPROPRIATE ACCOUNTS WITHIN THE FEDERAL AND STATE PROGRAMS FUND FOR THE EXPENDITURE AND CONTROL OF THE BALANCE OF THE GRANT FUNDS.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### OTHER BUSINESS

##### ► PUBLIC COMMENT ON CITY RELATED MATTERS

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SPOKE REGARDING HIS INTENT TO BOYCOTT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE. HE

CHARGED THAT THE MARCH FOR JUSTICE HAS BEEN EXCLUDED FROM MAKING DECISIONS ABOUT WHERE THE CONFERENCE WILL BE HELD, WHO THE GUEST SPEAKER WILL BE, OR ANY OTHER PLANNING DECISIONS. THEY ARE THE ONES WHO BROUGHT THIS REQUEST TO THE CITY.

MELANIE ROGERS OF 409 W. WILLOW SAID THAT THEY HAVE A COURT DATE ON MONDAY. THIS IS THEIR FINAL COURT DATE. SHE RELATED A CODE COMPLIANCE SITUATION WHEREIN HER NEIGHBOR WAS ARRESTED FOR NOT REGISTERING PROPERTY AS RENTAL PROPERTY BECAUSE SHE WAS ALLOWING HER UNCLE TO LIVE IN THE PROPERTY WHILE SHE WAS CARING FOR HIM.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. STATED HIS DISAPPOINTMENT IN THE MEDIA IN LANSING. HE SPOKE REGARDING ATTEMPTS TO ESTABLISH A DAYTIME CURFEW FOR THE CITY, AND ANNOUNCED HIS INTENT TO ATTEND THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE.

TOM LAFFERTY OF 1806 W. MICHIGAN SPOKE REGARDING THE RECENT DROWNING IN JACKSON IN A COVERED PORTION OF THE GRAND RIVER. HE URGED COUNCILMEMBERS TO PUT THE CSO PROJECT ON HOLD.

DARNELL OLDHAM, SR. OF 3815 BERWICK SAID THAT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE NEARLY FELL APART ON MAYOR HOLLISTER LAST WEEK. HE ACCUSED THE PLANNING COMMITTEE OF HASTILY THROWING THIS CONFERENCE TOGETHER AND THE HOLLISTER ADMINISTRATION OF POLARIZING THIS COMMUNITY IN ORDER TO HOLD THE PLANS FOR THE CONFERENCE TOGETHER BY SUGGESTING THAT TENSIONS WITHIN THE CITY COULD EXPLODE IF THE CONFERENCE WERE NOT HELD THIS SUMMER. HE ACCUSED THE MAYOR OF HOLDING CLANDESTINE MEETINGS TO CONVINCE PEOPLE OF THE COMMUNITY THAT THE CHARGES OF THE MARCH FOR JUSTICE ARE NOT VALID.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, MI SPOKE REGARDING THE CSO PROJECT.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SPOKE REGARDING LOANS GIVEN BY THE CITY FOR SMALL BUSINESS DEVELOPMENT. THESE LOANS HAVE ALL BEEN GIVEN TO WHITE PEOPLE. SHE HAS LEARNED THAT NO BLACK BUSINESS OWNERS EVEN APPLIED FOR THE LOAN. SHE SPOKE REGARDING THE NEED FOR DAYCARE SERVICES IN THE BLACK COMMUNITY.

LLOYD TEETS OF 116 E. ELM ST. STATED THAT HE IS A MEMBER OF THE MARCH FOR JUSTICE. HE, TOO, WILL BOYCOTT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE, BECAUSE IT WILL ACCOMPLISH NOTHING. THE OPPOSING SIDES ARE ALREADY IN AGREEMENT ABOUT THE ISSUES THAT WILL BE DISCUSSED, SO THERE IS NOTHING TO BE ACHIEVED. THE MARCH FOR JUSTICE HAS ALREADY ACCOMPLISHED A LOT, BECAUSE THEY HAVE RAISED THE COMMUNITY'S AWARENESS AS TO THE EXTENT OF IT'S PROBLEM.

ALBERTA JORDAN STATED THAT THE MAYOR'S STAFF IS THE

CAUSE OF HER SON SERVING TIME IN JAIL. SHE VERBALLY ATTACKED AND MADE THREATS TO THE MAYOR'S CHIEF OF STAFF.

JOHN CAMPANILE OF 4902 TRESSA DR. ASKED WHO THE CITY'S PUBLIC RELATIONS FIRM REPRESENTS. IT SEEMS CLEAR THAT THEY DO NOT REPRESENT THE CITY COUNCIL. EVERY TIME SOMEONE GETS SLAMMED, IT IS THE COUNCIL. HE ADVOCATED A CHANGE IN THE PLEDGE OF ALLEGIANCE SO THAT THE LAST LINE READS AND "EQUALITY OF JUSTICE FOR ALL".

AMMAHAD SHEKARAKKI OF 902 WILLOW THANKED EVERYONE WHO WORKED TO PUT THE VETERANS DAY PARADE TOGETHER. HE SPOKE REGARDING THE DISPARITY IN EARNING LEVELS BETWEEN BLACKS AND WHITES.

REVEREND LESTER STONE OF 1603 W. KALAMAZOO, ON BEHALF OF THE MARCH FOR JUSTICE, STATED THAT THEY WILL BOYCOTT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE BECAUSE THEY WERE EXCLUDED FROM THE PLANNING STAGES OF IT. HE SPOKE REGARDING MAYOR HOLLISTER'S COMMENTS ON THE POTENTIAL FOR AN EXPLOSION OF RACIAL TENSIONS IN LANSING. THIS WAS AN UNFAIR STATEMENT. NOT ONCE DID THE MARCH FOR JUSTICE CONSIDER SUCH A POSSIBILITY.

#### **REPORTS OF COUNCIL COMMITTEES**

##### **RESOLUTION #289 REPORT OF COMMITTEE**

THE COMMITTEE ON DEVELOPMENT AND PLANNING, WHICH REQUESTED A STATUS REPORT REGARDING THE FERGUSON DEVELOPMENT, L.L.C. PROJECT FOR THE 1300 BLOCK OF NORTH TURNER STREET.

REPORTS AS FOLLOWS: THE COMMITTEE RECEIVED A VERBAL REPORT FROM THE ADMINISTRATION RELATIVE TO THE STATUS OF THE FINALIZATION OF THE DEVELOPMENT AGREEMENT FOR THE PROJECT. IT HAS BEEN DETERMINED SUBSTANTIAL RUBBLE EXISTS ON THE PROPERTY THAT NEEDS TO BE REMOVED BEFORE THE DEVELOPER CAN CONSTRUCT THE PROJECT. IT IS ESTIMATED THAT THE COST OF REMOVING THE RUBBLE WILL BE BETWEEN \$80,000 AND \$110,000. THE DEVELOPMENT AGREEMENT PROVIDES THAT THE ALLOCATION OF COST OF RUBBLE REMOVAL IS TO BE AGREED TO BETWEEN THE PARTIES BEFORE THE TITLE TO THE PROPERTY IS TRANSFERRED. THE DEVELOPER REQUESTS THE CITY BE RESPONSIBLE FOR THE ENTIRE COSTS OF REMOVING THE RUBBLE. THE ADMINISTRATION IS IN THE PROCESS OF PREPARING A RUBBLE COST PROPOSAL FOR PRESENTATION TO THE WHOLE COUNCIL.

UPON REVIEWING THE MATTER IN DETAIL, COMMITTEE SUPPORTS THE CONCEPT OF THE CITY PAYING 100 PERCENT OF COSTS FOR REMOVAL OF THE RUBBLE, PROVIDED THE COST DOES NOT EXCEED \$110,000.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED

CARRIED UNANIMOUSLY

**RESOLUTION #290**  
REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, TO WHOM WAS REFERRED PETITIONS FROM NORTHRUP STREET RESIDENTS OPPOSING THE WIDENING OF THE ROAD AND THE INSTALLATION OF CURB AND GUTTER, STORM SEWER AND SIDEWALKS.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THE ADMINISTRATION NOT SUBMIT A REQUEST FOR STATE TRANSPORTATION PROGRAM FUNDS FOR THE NORTHRUP STREET PROJECT AND THAT THEY IDENTIFY A DIFFERENT PROJECT FOR SUBMITTAL OF THE FUNDS DUE TO A RESULT OF THE PETITIONS.

SIGNED: HAROLD LEEMAN, CHAIRPERSON  
HOWARD JONES  
RICK LILLY

BY COUNCILMEMBER LEEMAN

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

**CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

SECOND HAND DEALER: J & J APPLIANCE  
CAPITOL DISCOUNT & SECOND  
HAND

WASTE HAULER: GRANGER CONTAINER SVC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTERS FROM THE MAYOR RE:

A. ACQUISITION OF PROPERTY LANSING AVENUE PROJECT

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

B. GRANT APPLICATION; TRANSPORTATION ENHANCEMENT FUNDS - EAST MICHIGAN AVE. STREETSCAPING

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. TRANSFER OF FUNDS: 54-A DISTRICT COURT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS FOR THE COMMUNITY OF COLOR OPPOSED TO SMOKING SUMMIT

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

E. REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTION FUNDS FOR THE TEA IN THE GARDEN EVENT

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

F. LETTER OF APPRECIATION FROM ROSEMARY TAYLOR TO THE SISTER CITIES COMMISSION

RECEIVED AND PLACED ON FILE

G. LETTER OF APPRECIATION FROM LYNN A. ETINGER, CARING ABOUT KIDS, INC. REGARDING THE USE OF THE SUITE AND OLDSMOBILE PARK

RECEIVED AND PLACED ON FILE

H. LETTER OF APPRECIATION FROM PASTOR DAVID F. COLMAN, INTER-CITY BIBLE CHURCH TO OFFICER KIP EFFMAN OF LPD

RECEIVED AND PLACED ON FILE

I. LETTER OF APPRECIATION FROM JAMES E. HUDGINS PRIVATE LANDS COORDINATOR TO THE POTTER PARK ZOOLOGICAL SOCIETY

RECEIVED AND PLACED ON FILE

J. SUSPENSION ITEM FROM COUNCILMEMBER LILLY; GRANT ACCEPTANCE FROM THE CAPITAL REGION COMMUNITY FOUNDATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM ALGIE T. WALKINS OF P.O. Box 25034 REGARDING CITY OF LANSING PERSONAL PROPERTY TAX METHODOLOGY

REFERRED TO THE MAYOR AND THE COMMITTEE ON GENERAL SERVICES

2. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES OF THE CLOSING OF AN ADULT FOSTER CARE FAMILY HOME LICENSED AS NORBURN

HOUSE TO MARY LOU & SCOTT ROUDEBURSH AT 6101 NORBURN WAY

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES LAND AND WATER MANAGEMENT DIVISION REGARDING THEIR REVIEW OF FILE #97-11-0094

REFERRED TO THE MAYOR

4. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF THE ISSUANCE OF PERMIT #MIO055077 FOR THE MOTOR WHEEL DISPOSAL SITE

REFERRED TO THE MAYOR

5. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF APPLICATION FOR A PERMIT FOR CONSTRUCTION IN THE FLOODPLAIN OF THE RED CEDAR RIVER BY JOHN FOLEY FOR PRECISION BUILDING & REMODELING

REFERRED TO THE MAYOR

6. LETTER FROM SENATOR DIANNE BYRUM REGARDING ADDITIONAL ROAD FUNDING ENHANCEMENT PROPOSALS

REFERRED TO THE MAYOR

7. Z-12-97, 101, 105, 107, 109, 111-113, 115-117, 119, 121 E. GRAND RIVER AVE., PETITION FOR REZONING FILED BY BFW RIVER WAREHOUSE L.L.C. TO ALLOW FOR THE HISTORIC REHABILITATION OF EXISTING STRUCTURES AND FOR LOFT APARTMENT CONVERSIONS OF UPPER FLOORS AND RETAIL BUSINESS USE ON LOWER LEVEL

REFERRED TO THE MAYOR AND THE PLANNING BOARD

8. LETTER FROM CHRISTINE TIMMON, NO ADDRESS GIVEN, REGARDING THE LACK OF CHILD CARE TRAINING COURSES AND DOMESTIC ENGINEERING CLASSES

REFERRED TO THE MAYOR

9. LETTER FROM THE TRI-COUNTY OFFICE ON AGING SUBMITTING THEIR FISCAL YEAR 1998-2000 MULTI-YEAR PLAN AND FISCAL YEAR 1998 ANNUAL IMPLEMENTATION PLAN

RECEIVED AND PLACED ON FILE

10. SLU-03-97, 402 S. WASHINGTON AVE., SPECIAL LAND USE PETITION FILED BY SPIRIT LIFE MINISTRIES

REFERRED TO THE MAYOR AND THE PLANNING BOARD

11. 215 PETITION SIGNATURES OPPOSING PRD-01-97, SILVERSTONE TOWNHOUSES, 7.3 ACRES DEVELOPMENT ON THE NORTHEAST CORNER OF S. MARTIN LUTHER KING, JR. BLVD. AND HUGHES RD.

REFERRED TO THE COMMITTEE OF THE WHOLE

12. 2 POSTCARDS REQUESTING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

13. SUSPENSION ITEM FROM COUNCILMEMBER LEEMAN; LETTER FROM LLOYD TEETS REGARDING THE RIVERPOINT NEIGHBORHOOD ASSOCIATION

RECEIVED AND PLACED ON FILE (THIS LETTER WAS READ INTO THE RECORD AS FOLLOWS)

MAY 27, 1997

LANSING CITY CLERK  
LANSING, MICHIGAN

REF: COMMUNICATION FOR THE PUBLIC RECORD,  
LETTER OF APPRECIATION

DEAR LANSING CITY COUNCIL:

I WOULD LIKE TO TAKE THIS OPPORTUNITY TO THANK YOU FOR ESTABLISHING A PROGRAM FOR YEARLY NEIGHBORHOOD CLEAN-UPS.

RIVERPOINT NEIGHBORHOOD ASSOCIATION, ON SATURDAY MAY 24, HELD THEIR YEARLY NEIGHBORHOOD CLEAN-UP, AT NO COST TO RIVERPOINT RESIDENTS.

WITH VOLUNTEERS FROM THE NEIGHBORHOOD; WITH TRUCKS, DRIVERS AND SUPERVISORS FROM THE PUBLIC SERVICE DEPARTMENT, RIVERPOINT FILLED TWO TRUCKS AND PART OF A THIRD TRUCK WITH TRASH FROM HOMES IN OUR NEIGHBORHOOD. MANY OF OUR RESIDENTS ARE LOW-INCOME PERSONS AND THIS PROGRAM ASSISTS US IN OUR EFFORTS TO LIVE IN A CLEAN, SAFE ENVIRONMENT. PLEASE KEEP THIS PROGRAM IN EXISTENCE.

A SPECIAL THANK YOU TO POLICE DEPARTMENT PERSONNEL LIEUTENANT MARK ALLEY AND COMMUNITY POLICE OFFICER MICHELLE BRYANT, WHO WORKED SIDE BY SIDE WITH RIVERPOINT RESIDENTS IN LOADING TRASH INTO THE TRUCKS. POLICE-COMMUNITY RELATIONS CAN ONLY BE IMPROVED BY POLICE PARTICIPATION IN PROGRAMS LIKE THE NEIGHBORHOOD CLEAN-UP PROJECT.

I ALSO WISH TO THANK THE INDIVIDUALS FROM THE PUBLIC SERVICE DEPARTMENT, WHOSE NAMES I DO NOT HAVE, FOR THEIR MOST COOPERATIVE EFFORT, AND ASSISTANCE.

I HAVE A REPUTATION FOR BEING FAST TO CRITICIZE. I ALSO HOPE THAT I MAY BE AS FAST TO LAVISH PRAISE WHEN THE SITUATION WARRANTS PRAISE.

AGAIN, THANK YOU FOR THE NEIGHBORHOOD CLEAN-UP PROGRAM.

LRT

SINCERELY,

LLOYD TEETS, PRESIDENT  
RIVERPOINT NEIGHBORHOOD ASSOCIATION



**COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BENAVIDES SAID THAT HE HAD AN OPPORTUNITY LAST WEEKEND TO ATTEND THE MEMORIAL SERVICES AT MT. HOPE CEMETERY AND AT LITTLE ARLINGTON. THEY WERE BOTH VERY TOUCHING, BEAUTIFUL CEREMONIES. HE COMMENDED THE PARKS DEPARTMENT, PARTICULARLY THE PEOPLE WHO WORK SO HARD TO GET THE CEMETERIES IN SHAPE FOR THIS SEASON.

COUNCILMEMBER ALLEN DESCRIBED AN ACCIDENT SHE SUFFERED WHILE CAMPAIGNING, AND URGED EVERYONE TO BE CAREFUL AND LOOK WHERE THEY ARE STEPPING.

COUNCILMEMBER LEEMAN THANKED THE PARKS & RECREATION DEPARTMENT FOR PREPPING THE CEMETERIES FOR LAST WEEKEND'S CELEBRATIONS. HE PARTICULARLY ENJOYED THE CIVIL WAR CEREMONY. HE TOOK EXCEPTION TO THE ATTACK ON LIZA ESTLUND OLSON BY MRS. JORDAN. HE SUGGESTED THAT COUNCIL REVIEW POLICY FOR RESPONSE TO ATTACKS SUCH AS THIS.

COUNCILMEMBER BAUER ANNOUNCED THAT THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS HAS MADE ARRANGEMENTS WITH THE SCHOOL BOARD'S IGR COMMITTEE TO WORK ON ISSUES RAISED DURING BUDGET DELIBERATION REGARDING WAYS IN WHICH THE CITY CAN HELP THE SCHOOL DISTRICT. THEY ARE TRYING TO SCHEDULE A MEETING TO DISCUSS SUCH TOPICS AS THE NEED FOR AFTER SCHOOL YOUTH ACTIVITIES COORDINATORS AND THE USE OF SCHOOL BUILDINGS. SHE SAID THAT SHE IS EXCITED BY THE HOUSING DEVELOPMENT INITIATIVES THAT ARE GOING ON IN DOWNTOWN THESE DAYS, THE FERGUSON DEVELOPMENT PROJECT AND THE JONNA DEVELOPMENT PROJECT. SHE ANNOUNCED THAT SHE WILL BE ABSENT FROM COUNCIL MEETINGS FOR THE NEXT SEVERAL WEEKS, AS SHE WILL BE REPRESENTING THE CITY ON A TRIP TO OUR SISTER CITY, ST. PETERSBURG, RUSSIA. SHE THANKED MAYOR HOLLISTER FOR THIS INVITATION AND THE CITY FOR GIVING HER THE OPPORTUNITY TO REPRESENT THEM. SHE ANNOUNCED THAT SHE WILL PAY ALL OF HER OWN EXPENSES ON THIS TRIP, IT WILL NOT BE AT THE TAX PAYER'S EXPENSE. SHE OFFERED TO SHOW SLIDES TO ANY GROUP, OR NEIGHBORHOOD ORGANIZATION THAT IS INTERESTED WHEN SHE RETURNS.

COUNCILMEMBER JONES SPOKE REGARDING A PBS PROGRAM THAT AIRED LAST SUNDAY EVENING ABOUT VETERANS OF THE BATTLE OF THE BULGE. HE COMMENDED GEORGE WARREN AND THELMA OSTEEN ON THE SUCCESS OF THE NORTH LANSING HERITAGE FESTIVAL.

COUNCILMEMBER LILLY REPORTED THAT AT THE GROUND BREAKING FOR THE TURNER ST. DEVELOPMENT PROJECT SEVERAL PEOPLE SUGGESTED THAT THELMA OSTEEN BE HONORED FOR HER ACTIVITIES IN THE NORTH END. HE SUGGESTED THAT THE MEMORIAL REVIEW BOARD BE DIRECTED TO CONSIDER A MEMORIAL FOR HER. HE STATED THAT HE WAS ABSENT FROM THE PARADE AND CEREMONIES HELD LAST WEEKEND, BECAUSE HIS SON WAS GETTING MARRIED.

COUNCILMEMBER BEAL SAID THAT SHE, TOO, MISSED LAST WEEKENDS FESTIVITIES, BECAUSE SHE WAS CELEBRATING HER FIRST WEDDING ANNIVERSARY. SHE CONFIRMED THE

REGULARLY SCHEDULED MEETING OF THE COMMITTEE OF THE WHOLE, THIS THURSDAY AT 4:00 P.M., WHERE THEY WILL TAKE UP THE RECOMMENDATIONS OF THE AD HOC COMMITTEE ON PERSONNEL. THEY WILL DISCUSS THE JOB DESCRIPTION AND POSTING OF THE POSITION FOR THE LEGISLATIVE ANALYST.

**MAYOR'S EXECUTIVE ASSISTANT'S  
RESPONSE TO COMMENTS**

MR. WIENER THANKED THE MAYNARD FAMILY FOR THE FLAG THEY DONATED TO FLY OVER THE LITTLE ARLINGTON MEMORIAL LAST WEEKEND. HE ANNOUNCED A SCHOOL DISTRICT JOBS PROGRAM. INTERESTED PARTIES CAN CONTACT JOHN BENNET AT THE SCHOOL DISTRICT AT 325-6910.

REGARDING MRS. JORDAN'S BEHAVIOR AND COMMENTS TO LIZA ESTLUND OLSON TONIGHT; HE HAS REVIEWED THE TRANSCRIPTS OF THE TRIALS OF MRS. JORDAN'S SON. HE IS SORRY FOR HER PAIN AND MISFORTUNE. THE MAYOR'S OFFICE HAS URGED HER TO USE THE PUBLIC DEFENDER SYSTEM TO FILE APPEALS ON HER SON'S BEHALF. HER SON WAS CONVICTED BY THE COURT SYSTEM, AND THIS IS THE RESOURCE FOR HER TO USE TO TRY TO HELP HIM.

LIZA ESTLUND OLSON THANKED RITA KLEIN, WHO WENT TO AUSTRALIA RECENTLY AND BROUGHT BACK PICTURES THAT ST. MARTHA'S SCHOOL IN OKEMOS HAS USED ON THEIR WEB PAGE. SHE ANNOUNCED THE MAYOR'S FIRST ANNUAL RIVER WALK ON JUNE 14, 1997 BEGINNING AT POTTER PARK AND CONTINUING TO THE TURNER-DODGE HOUSE. THE EVENT IS SPONSORED BY M-CARE AND GOODIE BAGS WILL BE SUPPLIED TO PARTICIPANTS. SHE ANNOUNCED THAT THE SESQUICENTENNIAL COMMITTEE WILL BE MEETING ON THE LAWN OF THE STATE CAPITAL THE SAME DAY, WHERE THEY WILL HONOR DICK LETTS, WHO IS VERY ILL WITH CANCER. SHE ANNOUNCED THE STATE EMPLOYEES CREDIT UNION FIRST ANNUAL CITY OF LANSING APPLE PIE PARADE AND PICNIC IN THE PARK. A BIKE PARADE WILL BE INCLUDED, AS WILL OTHER GAMES.. OTHER UPCOMING ATTRACTIONS INCLUDE A LUGNUTS GAME AND A VOLLEY BALL CONTEST. A CONCERT IN THE PARK, AND THE JULY 4TH FIREWORKS DISPLAY.

**ADJOURNED 9:35 P.M.**

**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JUNE 2, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

ABSENT: COUNCILMEMBERS BAUER, NOVAK

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF MAY 19, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER JONES; A RESOLUTION CALLING FOR AN INVESTIGATION INTO THE TEAR GAS INCIDENT AT MELLING FORGING CO.

2. FROM COUNCILMEMBER JONES; A LETTER FROM MARGERY GILCREST-HESSSE REGARDING THE TEAR GAS INCIDENT AT MELLING FORGING CO.

3. FROM COUNCILMEMBER LILLY; A RESOLUTION AMENDING THE LEPFA (LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY) OPERATING AGREEMENT

4. FROM COUNCILMEMBER LILLY; A SUBSTITUTE RESOLUTION SETTING THE PUBLIC HEARING FOR THE PRINCIPAL SHOPPING DISTRICT SPECIAL ASSESSMENTS

5. FROM COUNCILMEMBER ALLEN; A LETTER FROM IMPRESSIONS V MUSEUM APPEALING CHARGES FOR FALSE ALARMS AT THEIR BUILDING

6. FROM COUNCILMEMBER LEEMAN; A RESOLUTION APPOINTING SHIRLEY ROGERS TO THE TRI-COUNTY REGIONAL PLANNING COMMISSION

7. FROM COUNCILMEMBER LEEMAN; A RESOLUTION AUTHORIZING AN APPROPRIATION OF COMMUNITY USE FUNDS FOR THE COALITION OF COLORED COMMUNITIES OPPOSED

TO SMOKING

8. FROM COUNCILMEMBER LEEMAN; A REQUEST FOR THE RECONSIDERATION OF RESOLUTION #283, SETTING A PUBLIC HEARING FOR JUNE 9, 1997 FOR PUBLIC IMPROVEMENT III ON CAVANAUGH RD., AND A REQUEST THAT FOLLOWING RECONSIDERATION OF THE RESOLUTION THE DATE OF THE PUBLIC HEARING BE CHANGED TO JUNE 16, 1997

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER ALLEN ANNOUNCED THAT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE WAS A SUCCESSFUL, WELL ATTENDED EVENT. IT PROVED TO BE EFFECTIVE AT CREATING A BETTER UNDERSTANDING OF THE PROBLEMS THE CITY HAS BEEN DEALING WITH. SHE EXPRESSED HER DISAPPOINTMENT THAT THE MEMBERS OF THE MARCH FOR JUSTICE DID NOT TAKE PART IN THE CONFERENCE. SHE THANKED COUNCILMEMBERS LEEMAN, NOVAK AND BENAVIDES FOR ATTENDING THIS CONFERENCE ALONG WITH HER.

MAYOR HOLLISTER ANNOUNCED THAT SATURDAY, JUNE 7TH, WILL BE THE DRUG FREE YOUTH GOLF OUTING. ALL PROCEEDS WILL GO TO THE "DRUG FREE YOUTH TASK FORCE". INTERESTED PARTIES MAY CALL HIS OFFICE AT 483-4141 FOR MORE INFORMATION. HE ANNOUNCED THE CITY'S 150TH BIRTHDAY CELEBRATION NEXT SATURDAY, JUNE 14, 1997. THIS IS ALSO THE "BE A TOURIST IN YOUR OWN TOWN" DAY. THERE WILL BE MANY EVENT GOING ON THROUGHOUT THE CITY, INCLUDING; THE MAYOR'S RIVERWALK, SPONSORED BY M-CARE. THIS EVENT WILL BEGIN AT POTTERS PARK ZOO AND CONTINUE ON TO THE TURNER DODGE HOUSE AND WILL BE FOLLOWED BY A PICNIC. GOODIE BAGS WILL BE DISTRIBUTED TO ALL PARTICIPANTS AND TRANSPORTATION BACK TO THE ZOO WILL BE PROVIDED FOR THOSE WHO DO NOT WISH TO WALK BACK. THERE WILL BE A DRAWING FOR AN ALL EXPENSE PAID TRIP TO MACKINAW ISLAND TO PARTICIPATE IN THE GOVERNOR'S LABOR DAY WEEKEND "BRIDGE WALK" IN SEPTEMBER. LATER ON SATURDAY THE 14TH, THERE WILL BE A CELEBRATION OF THE CITY OF LANSING'S 150TH BIRTHDAY, AND PRESENTATION OF A PROCLAMATION DECLARING SATURDAY, JUNE 14, 1997 AS DICK LETTS DAY, AND MR. LETTS WILL BE DESIGNATED AS "MAYOR FOR THE DAY". HE DESCRIBED AN EVENT HELD LAST FRIDAY ON CONFLICT RESOLUTION. THIS CONFERENCE TRIED TO ESTABLISH THE DIFFERENCE BETWEEN DEBATE AND DIALOGUE. HE REPORTED HAVING WRITTEN A LETTER TO JAN PERSONS, CHAIR OF THE BOARD OF POLICE COMMISSIONERS REGARDING THIS CONFERENCE.

COUNCILMEMBER ALLEN ANNOUNCED THAT THE LANSING CIVIC PLAYERS WILL DEDICATE THEIR HISTORICAL MARKER ON JUNE 7, 1997.

► SPECIAL CEREMONIES:

BARB DOYLE AND DON LEAF OF LOAVES AND FISHES PRESENTED PRESIDENT BEAL WITH A PLAQUE IN THANKS FOR THE CITY'S SUPPORT OF THEIR PROGRAMS. THEY ANNOUNCED COMPLETION OF THE RENOVATIONS AT THEIR FACILITY. THEY HAVE NEW DOORS, WINDOWS, FLOORING, CARPETING AND MATTRESSES. THEY HAVE BEEN ABLE TO BRING THEIR BUILDING UP TO CITY CODE IN A LOT OF AREAS. THEY ARE NOW EXPANDING THEIR SERVICES TO INCLUDE WOMEN AND CHILDREN. THEY NOW HAVE TWO FACILITIES THAT ARE BARRIER FREE, AS WELL AS A NEW RESIDENTIAL SEMI-COMMERCIAL KITCHEN. THEY EXPRESSED THEIR GRATITUDE TO THE CITY FOR PAST AND CONTINUED SUPPORT. THEY ANNOUNCED THAT ON TUESDAY, JUNE 17, 1997, THEY WILL HAVE A PANEL DISCUSSION ON "STREET WATCH", A PBS CHANNEL 23 TELEVISION SHOW, AT WHICH THEY WILL DISCUSS A CONTINUUM OF CARE FOR HELPING THEIR CUSTOMERS BECOME SELF SUFFICIENT AND INDEPENDENT, ULTIMATELY ENABLING THEM TO LIVE IN THEIR OWN HOMES. THEY ANNOUNCED A DEDICATION CEREMONY FOR THEIR MINISTRIES ON JULY 13, 1997 AT LOAVES AND FISHES AT 12:30 P.M. AND INVITED EVERYONE TO ATTEND. THE CEREMONY WILL INCLUDE A PICNIC DINNER AND A RAFFLE DRAWING.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC HEARINGS:

1. IN CONSIDERATION OF THE QUALITY DAIRY PROJECT PLAN OF THE ECONOMIC DEVELOPMENT CORPORATION

PRISCILLA HOLMES OF 220 REO AVE., CHAIR OF THE MOORES PARK COMMITTEE ON EXPANSION OF THE QUALITY DAIRY PLANT, SAID THAT THEY HAVE SIGNED A LETTER OF AGREEMENT WITH QUALITY DAIRY REFLECTING CHANGES THAT THEIR NEIGHBORHOOD ASSOCIATION HAS REQUESTED TO THE QUALITY DAIRY EXPANSION PLAN. THESE CHANGES INVOLVE THE INGRESS AND EGRESS ONTO BAKER ST. FROM THE SITE OF THE PLANT. QUALITY DAIRY HAS AGREED TO THEIR CHANGES, AND THE NEIGHBORHOOD ASSOCIATION NOW SUPPORTS THE PROJECT.

MIKE SWARTHOUT, DIRECTOR OF MANUFACTURING FOR QUALITY DAIRY CORP., AND PROJECT MANAGER FOR THEIR PROPOSED NEW BAKERY, SAID THAT THE QUALITY DAIRY CORP., AND IT'S EMPLOYEES ARE THOROUGHLY EXCITED ABOUT THIS PROJECT. THEY WOULD LIKE TO COMPLETE THE BUILDING OF THEIR NEW PLANT BY YEAR END, AND BELIEVE THAT THIS PRESENTS A WIN/WIN SITUATION.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► LEGISLATIVE MATTERS:

BY COUNCILMEMBER LILLY

TO SET A TIME LIMIT FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS AT THREE (3) MINUTES, AND TO ALLOW PEOPLE TO YIELD THEIR TIME TO OTHER SPEAKERS, WITH A MAXIMUM TIME ALLOTMENT TO SAID SPEAKERS OF 10 MINUTES.

CARRIED UNANIMOUSLY

THE FOLLOWING PEOPLE APPEARED AND PROTESTED THE USE OF TEAR GAS BY THE LANSING POLICE DEPARTMENT AT A PICKET LINE PROTEST STAGED AT MELLING FORGING CO. ON MAY 29, 1997.

- ROBERT HUDSON OF 450 CLARE ST., MEMBER OF UAW LOCAL 724,
- JAMES BANCROFT OF 1015 COOPER AVE.
- JOHN LEGG OF 103 MANCHESTER IN DEWITT, MEMBER OF UAW LOCAL 724
- WILLIE VAUGHAN OF 3201 VIKING ST.
- CHRIS "TINY" SHERWOOD OF 3400 GLENBROOK, PRESIDENT OF UAW LOCAL 652
- ROGER SPARKS OF 6259 HILLIARD RD.
- DEE MILLER, NO ADDRESS GIVEN
- GLENN FREEMAN, PRESIDENT OF THE GREATER LANSING LABOR COUNCIL AT 419 S. WASHINGTON
- JOHN GIECK OF 802 N. CAPITAL #5
- ED SIMMER OF 2609 DIER
- MARSHALL TAPLIN OF 4161 WOODCREEK
- TERRY MARRIS OF 201 WALNUT
- KEN MORSE OF 1215 LAKE LANSING RD.
- RANDY EDING OF 6850 WILLIAMS RD.
- SCOTT DECESS 710 RANDALL
- HAROLD FOSTER OF 7312 FRANCIS RD.
- ELLIOTT GLICKSMAN OF 1825 VASSAR DR.
- LLOYD TEETS OF 116 E. ELM ST.
- LEROY MCKNIGHT OF 3218 HOLIDAY, MEMBER OF UAW LOCAL 1750
- CHARLENE DECKER OF 2711 PLEASANT GROVE RD.
- REV. LESTER D. STONE OF 1603 W. KALAMAZOO
- MARTY WELDON OF 1134 E. TAFT ST.

CITY CLERK SLADE READ THE FOLLOWING COMMUNICATION, ACCEPTED UNDER SUSPENSION OF THE RULES INTO THE RECORD OR THIS MEETING:

CITY COUNCIL ET AL.  
CITY HALL  
LANSING, MI

TO THE COUNCIL AND AUDIENCE:

I WAS OUTRAGED AND INCREDULOUS WHEN I HEARD THE NEWS THAT LANSING CITY POLICE HAD FIRED TEAR GAS CANISTERS AT MELLING DROP FORGE WORKERS. EVERY LANSING CITIZEN WHO LOVES DEMOCRACY AND CONSTITUTIONAL RIGHTS SHOULD BE UP IN ARMS. ABOVE ALL, ALL UNION MEMBERS SHOULD BE STEADFAST AND IN SOLIDARITY.

INSTEAD THERE SEEMS TO BE GREAT PASSIVITY AND ACCEPTANCE OF THIS OUTRAGEOUS ACT BY NOT ONLY THE LOCAL MEDIA AND CITIZENS IN GENERAL, BUT EVEN THE BROTHER LOCALS SEEM TO BE EITHER RUNNING SCARED OR CALCULATING THEIR OWN IMMEDIATE SELF-INTEREST RATHER

THAN MAKING A FEARLESS STAND. I SAY "IMMEDIATE SELF-INTEREST" BECAUSE ANY INTELLIGENT PERSON KNOWS THAT "WHEN THEY DO IT TO ONE, THEY DO IT TO ALL." IT IS CRAVEN FAILURE TO SUPPORT ONE'S ALLIES THAT HAS LED IN THE PAST SOME OF THE MOST TERRIBLE DESPOTISMS IN PAST HISTORY. WE MUST LEARN FROM THE PAST.

OUR TOP CITY OFFICIAL CLAIMS TO HAVE KNOWN NOTHING ABOUT THE DRASTIC DECISION TAKEN BY A DEPARTMENT HEAD. THE IMPLICATION IS INESCAPABLE! EITHER HE DID NOT KNOW AND PROVES TO BE IGNORANT AND INCOMPETENT, OR HE WAS IN ON THE PLAN AND IS PLAINLY ANTI-LABOR AND IRRESPONSIBLE. IT IS NOT "THE BUCK STOPS HERE" IN ANY CASE.

UNION MEMBERS AND ALL CITIZENS MUST REMEMBER, "WE MUST HAND TOGETHER OR HANG SEPARATELY" AND "SOLIDARITY FOREVER!"

MARGERY GILCREST-HESSE  
MEMBER UAW AND MEA, RETIRED

LLOYD TEETS OF 116 E. ELM ST. ASKED IF COUNCIL HAS TAKEN ANY ACTION TO ENSURE THAT THE GRANGER WASTE HAULER TRUCKS HAVE HAD EQUIPMENT INSTALLED TO PREVENT THEM FROM DRIVING WITH THEIR LIFTS RAISED, IN ORDER TO PREVENT ANOTHER ACCIDENT LIKE THE ONE ON S. CEDAR ST. WITH THE PEDESTRIAN OVERPASS.

### LEGISLATIVE MATTERS RESOLUTIONS

#### RESOLUTION #291

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING DESIRES TO ENCOURAGE AND SUPPORT SHOPPING AND COMMERCIAL ACTIVITY IN THE PRINCIPAL SHOPPING DISTRICT AREA BY PUBLIC IMPROVEMENT TO DEVELOP, REDEVELOP, PROMOTE ECONOMIC ACTIVITY AND PROVIDE FOR THE MAINTENANCE, SECURITY AND OPERATION OF THE PRINCIPAL SHOPPING DISTRICT BY SUCH PUBLIC IMPROVEMENT WHICH ESPECIALLY BENEFITS ANY PROPERTY WITHIN A DISTRICT; AND

WHEREAS, THE CITY OF LANSING DESIRES TO ENCOURAGE PROMOTIONAL EFFORTS, BUSINESS RECRUITMENT IN ALL ZONES AND PHYSICAL IMPROVEMENTS AND MAINTENANCE SERVICES (IN ZONE A) OF THE PRINCIPAL SHOPPING DISTRICT; AND

WHEREAS, THE CITY OF LANSING HAS DETERMINED THAT THIS SHOULD BE PROVIDED THROUGH SPECIAL ASSESSMENT ZONES ESTABLISHED FOR THE PURPOSE OF FINANCING PRINCIPAL SHOPPING DISTRICT ACTIVITIES; AND

WHEREAS, THE CITY OF LANSING HAS DETERMINED THAT THE COST OF PROVIDING SUCH SERVICES SHOULD BE RECOVERED BY A SPECIAL ASSESSMENT AGAINST PROPERTIES ESPECIALLY BENEFITTED AS AUTHORIZED BY ACT NO. 120 OF THE PUBLIC ACTS OF 1961, AS AMENDED, AND CHAPTERS 812 AND 1026 OF THE LANSING CODE OF ORDINANCES; AND

WHEREAS, THE CITY OF LANSING HAS REVIEWED THE

PROPOSED SPECIAL ASSESSMENT BOUNDARIES; AND

WHEREAS, THE CITY OF LANSING HAS ALSO REVIEWED THE PROPOSED SERVICES WITHIN THE BOUNDARIES WITH AN ESTIMATED COST OF THESE SERVICES;

NOW THEREFORE BE IT RESOLVED, THAT THE SPECIAL ASSESSMENT ZONES FOR THE PRINCIPAL SHOPPING DISTRICT ARE ESTABLISHED BY CITY COUNCIL AS FOLLOWS:

PRINCIPAL SHOPPING DISTRICT: BEGINNING AT THE INTERSECTION OF WEST RIGHT-OF-WAY LINE OF S. CAPITOL AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF W. ST. JOSEPH STREET, "POINT OF BEGINNING", NORTH ALONG S. CAPITOL AVENUE RIGHT-OF-WAY LINE TO THE CENTER-LINE OF W. ALLEGAN STREET, THEN EAST ALONG THE W. ALLEGAN CENTER-LINE TO THE CENTER-LINE OF S. CAPITOL AVENUE, NORTH ALONG THE S. CAPITOL AVENUE CENTER-LINE TO THE CENTER-LINE OF W. SAGINAW STREET, EAST ALONG THE W. SAGINAW STREET CENTER-LINE TO THE WEST RIGHT-OF-WAY LINE OF N. WASHINGTON AVENUE, NORTH ALONG THE N. WASHINGTON AVENUE RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF W. GRAND RIVER AVENUE, EAST ALONG THE W. GRAND RIVER AVENUE RIGHT-OF-WAY LINE TO THE WEST RIGHT-OF-WAY LINE OF TURNER STREET, NORTH ALONG THE TURNER STREET RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF CLINTON STREET, EAST ALONG THE CLINTON STREET RIGHT-OF-WAY TO THE EAST RIGHT-OF-WAY LINE OF CENTER STREET, SOUTH ALONG THE CENTER STREET RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF LIBERTY STREET, EAST ALONG THE LIBERTY STREET RIGHT-OF-WAY LINE TO THE CENTER-LINE OF N. CEDAR STREET, SOUTH ALONG THE N. CEDAR STREET CENTER-LINE TO THE SOUTH RIGHT-OF-WAY LINE OF E. GRAND RIVER AVENUE, EAST ALONG THE E. GRAND RIVER AVENUE RIGHT-OF-WAY LINE TO THE WEST RIGHT-OF-WAY LINE OF N. LARCH STREET, SOUTH ALONG THE N. LARCH STREET RIGHT-OF-WAY LINE TO THE CENTER-LINE OF E. SHIAWASSEE STREET, EAST ALONG THE E. SHIAWASSEE STREET CENTER-LINE TO THE WEST RIGHT-OF-WAY LINE OF THE CONRAIL RIGHT-OF-WAY, SOUTH ALONG THE CONRAIL RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY OF E. MICHIGAN AVENUE,

WEST ALONG THE E. MICHIGAN AVENUE RIGHT-OF-WAY TO THE EAST RIGHT-OF-WAY LINE OF S. LARCH STREET, SOUTH ALONG THE S. LARCH STREET RIGHT-OF-WAY LINE TO THE CENTER-LINE OF E. KALAMAZOO STREET, THEN WEST ALONG E. KALAMAZOO STREET CENTER-LINE TO THE CENTER-LINE OF S. LARCH STREET, THEN SOUTH ALONG THE S. LARCH STREET CENTER-LINE TO THE NORTH RIGHT-OF-WAY LINE OF ST. JOSEPH STREET (EXTENDED), WEST ALONG THE ST. JOSEPH STREET RIGHT-OF-WAY LINE (EXTENDED) TO THE POINT OF BEGINNING.

THE PRINCIPAL SHOPPING DISTRICT, AS DESCRIBED HEREIN, SHALL CONTAIN ZONES AS DESCRIBED BELOW:

ZONE A: BEGINNING AT THE INTERSECTION OF THE CENTER-LINE OF N. CAPITOL AVE. AND THE CENTERLINE OF W. SHIAWASSEE STREET, THE "POINT OF BEGINNING-A", EAST ALONG THE CENTER-LINE OF SHIAWASSEE STREET TO THE WEST RIGHT-OF-WAY LINE OF THE CONRAIL RIGHT-OF-WAY, SOUTH ALONG THE CONRAIL RIGHT-OF-WAY LINE TO THE CENTER-LINE OF E. MICHIGAN AVENUE, WEST ALONG THE

CENTER-LINE OF E. MICHIGAN AVENUE TO THE CENTER-LINE OF S. CEDAR STREET, SOUTH ALONG THE S. CEDAR STREET CENTER-LINE TO THE CENTER-LINE OF E. KALAMAZOO STREET, WEST ALONG THE E. KALAMAZOO STREET CENTER-LINE, CROSSING THE GRAND RIVER CONTINUING AT THE CENTER-LINE OF W. KALAMAZOO STREET TO THE CENTER-LINE OF GRAND AVENUE, SOUTH ALONG THE GRAND AVENUE CENTER-LINE TO THE CENTER-LINE OF W. LENAWEE STREET, WEST ALONG THE W. LENAWEE STREET CENTER-LINE TO THE WEST RIGHT-OF-WAY LINE OF S. CAPITOL AVENUE, NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF S. CAPITOL TO THE CENTER-LINE OF W. ALLEGAN STREET, THEN EAST ALONG THE W. ALLEGAN STREET CENTERLINE TO THE CENTER-LINE OF S. CAPITOL AVENUE, NORTH ALONG THE S. CAPITOL AVENUE CENTER-LINE TO THE POINT OF BEGINNING -A.

ZONE B: BEGINNING AT THE INTERSECTION OF WEST RIGHT-OF-WAY LINE OF N. WASHINGTON AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF W. GRAND RIVER AVENUE, THE "POINT OF BEGINNING-B", EAST ALONG THE W. GRAND RIVER AVENUE RIGHT-OF-WAY LINE TO THE WEST RIGHT-OF-WAY LINE OF TURNER STREET, NORTH ALONG THE TURNER STREET RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF CLINTON STREET, EAST ALONG THE CLINTON STREET RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF CENTER STREET, SOUTH ALONG THE CENTER STREET RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF LIBERTY STREET, EAST ALONG THE LIBERTY STREET RIGHT-OF-WAY LINE TO THE CENTER-LINE OF N. CEDAR STREET, SOUTH ALONG THE N. CEDAR STREET CENTER-LINE TO THE CENTER-LINE OF E. MAPLE STREET, WEST ALONG THE E. MAPLE STREET CENTER-LINE (AS ALIGNED) TO THE WEST RIGHT-OF-WAY LINE OF N. WASHINGTON AVENUE, NORTH ALONG THE N. WASHINGTON RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING-B.

ZONE C-NORTH: BEGINNING AT THE INTERSECTION OF THE CENTER-LINE OF N. CAPITOL AVENUE AND THE CENTER-LINE OF W. SHIAWASSEE STREET, THE "POINT OF BEGINNING-C(NORTH)", NORTH ALONG THE N. CAPITOL AVENUE CENTER-LINE TO THE CENTER-LINE OF W. SAGINAW STREET, EAST ALONG THE W. SAGINAW STREET CENTER-LINE TO WEST RIGHT-OF-WAY LINE OF N. WASHINGTON AVENUE, NORTH ALONG THE N. WASHINGTON AVENUE RIGHT-OF-WAY LINE TO THE CENTER-LINE OF E. MAPLE STREET, EAST ALONG THE E. MAPLE STREET (AS ALIGNED) CENTER-LINE TO THE CENTER-LINE OF N. CEDAR STREET, NORTH ALONG THE N. CEDAR STREET CENTER-LINE TO THE SOUTH RIGHT-OF-WAY LINE OF E. GRAND RIVER AVENUE, EAST ALONG THE E. GRAND RIVER AVENUE RIGHT-OF-WAY LINE TO THE WEST RIGHT-OF-WAY LINE OF N. LARCH STREET, SOUTH ALONG THE N. LARCH STREET RIGHT-OF-WAY LINE TO THE CENTER-LINE OF E. SHIAWASSEE STREET, WEST ALONG THE E. SHIAWASSEE STREET CENTER-LINE TO THE POINT OF BEGINNING-C (NORTH).

ZONE C SOUTH: BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF S. CAPITOL AVENUE TO THE CENTER-LINE OF W. LENAWEE STREET, THE "POINT OF BEGINNING-C (SOUTH)" EAST ALONG THE W. LENAWEE STREET CENTER-LINE TO THE CENTER-LINE OF GRAND AVENUE, NORTH ALONG THE GRAND AVENUE CENTER-LINE TO THE CENTER-LINE OF W. KALAMAZOO STREET, EAST ALONG THE KALAMAZOO STREET CENTER-LINE TO THE CENTER-LINE OF S. CEDAR STREET, NORTH ALONG THE CEDAR STREET CENTER-

LINE TO THE CENTER-LINE OF E. MICHIGAN AVENUE, EAST ALONG THE E. MICHIGAN AVENUE CENTER-LINE TO THE WEST RIGHT-OF-WAY LINE OF THE CONRAIL RIGHT-OF-WAY, SOUTH ALONG THE CONRAIL RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY LINE OF E. MICHIGAN AVENUE, THEN WEST ALONG THE E. MICHIGAN AVENUE RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF S. LARCH STREET, SOUTH ALONG THE S. LARCH STREET RIGHT-OF-WAY LINE TO THE CENTER-LINE OF E. KALAMAZOO STREET, WEST ALONG THE E. KALAMAZOO CENTER-LINE TO THE CENTER-LINE OF S. LARCH STREET, SOUTH ALONG THE S. LARCH STREET CENTER-LINE TO THE NORTH RIGHT-OF-WAY LINE OF ST. JOSEPH STREET (EXTENDED), WEST ALONG THE ST. JOSEPH STREET RIGHT-OF-WAY LINE (EXTENDED) TO THE WEST RIGHT-OF-WAY LINE OF S. CAPITOL AVENUE, THEN NORTH ALONG THE S. CAPITOL AVENUE RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING-C (SOUTH).

BE IT FURTHER RESOLVED, THAT THE PRINCIPAL SHOPPING DISTRICT PUBLIC IMPROVEMENTS AND SERVICES BE SUPPORTED BY A SPECIAL ASSESSMENT OF THESE COST AGAINST THE PROPERTIES ESPECIALLY BENEFITTED AS FOLLOWS:

ZONE A - ELEVEN CENTS PER SQUARE FOOT FOR FIRST FLOOR AND FIVE CENTS PER SQUARE FOOT FOR SECOND FLOORS AND ABOVE, PARKING STRUCTURES AT THE RATE OF FOUR CENTS PER SQUARE FOOT FOR THE MAIN FLOORS AND TWO CENTS PER SQUARE FOOT FOR SECOND FLOORS AND ABOVE, PARKING LOTS AT FOUR CENTS PER SQUARE FOOT, VACANT LAND AT ONE CENT PER SQUARE FOOT, AND INDUSTRIAL & MANUFACTURING PROPERTIES AT TWO CENTS PER SQUARE FOOT FOR THE FIRST FLOOR AND ONE CENT PER SQUARE FOOT FOR SECOND FLOORS AND ABOVE; FOR A TOTAL OF \$335,849.45.

ZONE B - EIGHT CENTS PER SQUARE FOOT FOR FIRST FLOOR AND THREE CENTS PER SQUARE FOOT FOR SECOND FLOOR AND ABOVE, PARKING STRUCTURES AT THE RATE OF FOUR CENTS PER SQUARE FOOT FOR THE MAIN FLOORS AND TWO CENTS PER SQUARE FOOT FOR SECOND FLOORS AND ABOVE, PARKING LOTS AT FOUR CENTS PER SQUARE FOOT, VACANT LAND AT ONE CENT PER SQUARE FOOT, AND INDUSTRIAL & MANUFACTURING PROPERTIES AT TWO CENTS PER SQUARE FOOT FOR THE FIRST FLOOR AND ONE CENT PER SQUARE FOOT FOR SECOND FLOORS AND ABOVE; FOR A TOTAL OF \$19,308.19.

ZONE C (1 NORTH & 2 SOUTH) - TWO CENTS PER SQUARE FOOT FOR FIRST FLOOR AND ONE CENT PER SQUARE FOOT FOR SECOND FLOORS AND ABOVE, PARKING STRUCTURES AT THE RATE OF TWO CENTS PER SQUARE FOOT FOR THE MAIN FLOORS AND ONE CENT PER SQUARE FOOT FOR SECOND FLOORS AND ABOVE, PARKING LOTS AT TWO CENTS PER SQUARE FOOT, VACANT LAND AT ONE CENT PER SQUARE FOOT, AND INDUSTRIAL & MANUFACTURING PROPERTIES AT TWO CENTS PER SQUARE FOOT FOR THE FIRST FLOOR AND ONE CENT PER SQUARE FOOT FOR SECOND FLOORS AND ABOVE; FOR TOTAL OF \$29,197.87,

BE IT FURTHER RESOLVED, THAT THE COST AND EXPENSE OF MAKING ESTIMATES, PLANS AND ASSESSMENTS INCIDENTAL TO THE PREPARATION OF THE ASSESSMENT AND THE ROLE AND PROVIDING NOTICES SHALL BE INCLUDED IN THE

EXPENSE OF THE ASSESSMENT.

BE IT FURTHER RESOLVED, THAT THE PRINCIPAL SHOPPING DISTRICT PUBLIC IMPROVEMENT AND SERVICES BE FINANCED BY A SPECIAL ASSESSMENT OF THESE COSTS AGAINST THE PROPERTIES ESPECIALLY BENEFITTED AS CONTAINED IN THE ASSESSMENT ROLL NO. PSD 97 -A /PSD 97 -B/ PSD 97 -C, COMPLIED BY THE CITY ASSESSOR AND PRESENTED TO COUNCIL WITH THIS RESOLUTION.

BE IT FURTHER RESOLVED, THAT IN ZONES "A", "B" AND "C", ALL PROPERTY OWNERS WHOSE ASSESSMENT WOULD OTHERWISE EXCEED \$ 1 0,000.00 PER ONE PARCEL, SHALL BE CAPPED AT NO MORE THAN \$ 1 0,000.00 PER ONE PARCEL ON AN ANNUAL BASIS.

BE IT FURTHER RESOLVED, THAT IN ZONES "A", "B" AND "C", DESIGNATED PARK LAND SHALL BE EXEMPT FROM ASSESSMENT.

BE IT FURTHER RESOLVED, THAT IN ZONES "A", "B" AND "C", ANY PROPERTY OWNED BY A NON- PROFIT ENTITY WHICH HAS RECEIVED A FEDERAL IRS SECTION 501 (C) (3) NON-PROFIT DESIGNATION SHALL HAVE THEIR PROPERTY ASSESSMENT CAPPED AT 40% OF THE PROPOSED ASSESSMENT RATE; PROVIDED THAT SAID ENTITY SHALL FILE WITH THE CITY ASSESSOR, NOT LATER THAN AUGUST 15, 1997, A WRITTEN APPLICATION FOR NON-PROFIT PRINCIPAL SHOPPING DISTRICT DESIGNATION, TOGETHER WITH A COPY OF SAID DETERMINATION OF IRS SECTION 501 (C) (3) STATUS.

BE IT FURTHER RESOLVED, THAT A PUBLIC HEARING BE HELD JUNE 16, 1997, AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, 10TH FLOOR CITY HALL, LANSING, MICHIGAN TO CONSIDER THE ESTABLISHMENT OF THE PRINCIPAL SHOPPING DISTRICT SPECIAL ASSESSMENT ROLE.

BE IT FURTHER RESOLVED, THAT THE CITY CLERK PUBLISH NOTICE OF THE HEARING TO CONFIRM THE SPECIAL ASSESSMENT ROLL IN A NEWSPAPER OF GENERAL CIRCULATION AT LEAST TEN (10) DAYS PRIOR TO THE DATE OF THE HEARING.

BE IT FINALLY RESOLVED, THAT NOTICE TO THE AFFECTED OWNERS OF THE PROPERTIES IN SAID DISTRICT BE GIVEN IN ACCORDANCE WITH CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES.

BY COUNCILMEMBER LILLY

TO ACCEPT A SUBSTITUTE RESOLUTION FOR THE ONE CONTAINED IN THE PACKET AND TO PLACE AN AFFIRMATIVE ROLL ON THE SUBSTITUTE

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED FOR THIS VOTE)

ABSENT: 2

**RESOLUTION #292**

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE HOUSING RESOURCE CENTER FOR THE LANSING HOUSING FAIR AT THE LANSING CENTER ON MAY 3, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$1,635.00 TO ACCOUNT #101-173901-741200-0, FOR LANSING CENTER RENTAL COSTS.

BY COUNCILMEMBER BENAVIDES

TO PLACE AN AFFIRMATIVE ROLL ON THIS RESOLUTION

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED FOR THIS VOTE)

BY COUNCILMEMBER JONES

TO RECONSIDER THE VOTE ON THIS RESOLUTION

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED FOR THIS VOTE)

ABSENT: 2

BY COUNCILMEMBER BENAVIDES

TO PLACE AN AFFIRMATIVE ROLL ON THIS RESOLUTION

CARRIED UNANIMOUSLY

**RESOLUTION #293**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON MAY 29, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF JUNIOR AND NELLIE BLOOM, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-31278-331-5; COMMONLY KNOWN AS 2503 GREENBELT DRIVE,

LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-31-278-331-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF JUNIOR AND NELLIE BLOOM WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-278-331-5 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-278-331-5 BE REDUCED BY 25%; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY JUNIOR AND NELLIE BLOOM AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-278-331-5 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

ABSENT: 2

#### **RESOLUTION #294**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON MAY 29, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF PAUL LEE MCQUEEN, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-31-276-171-5; COMMONLY KNOWN AS 2412 GREENBELT DRIVE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-31-276-171-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF PAUL LEE MCQUEEN WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-276-171-5 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-276-276-5 BE REDUCED BY 25%; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY PAUL LEE MCQUEEN AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-276-171-5 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

ABSENT: 2

#### **RESOLUTION #295**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON MAY 29, 1997, THE COMMITTEE CONSIDERED THE APPEALS OF RICHARD AND PHYLLIS MILLARD, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NOS. 3301-31-278-311-7, 3301-31-276-181-4, 3301-31-276-161-6, AND 3301-31-278-241-7; COMMONLY KNOWN AS 2419, 2408, 2416, AND 2311 GREENBELT DRIVE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-31-278-311-7, 3301-31-276-181-4, 3301-31-276-161-6, AND 3301-31-278-241-7 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF RICHARD AND PHYLLIS MILLARD WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-278-311-7, 3301-31-276-181-4, 3301-31-276-161-6, AND 3301-31-278-241-7 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-31-278-311-7, 3301-31-276-181-4, 3301-31-276-161-6, AND 3301-31-278-241-7 BE REDUCED BY 25%; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY RICHARD AND PHYLLIS MILLARD AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-31-278-311-7, 3301-31-276-181-4, 3301-31-276-161-6, AND 3301-31-278-241-7 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE

YEAS: 5

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

ABSENT: 2

#### RESOLUTION #296

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON MAY 29, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF CARL AND SHERRY SCHULTZ, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-31-278-301-8; COMMONLY KNOWN AS 2415 GREENBELT DRIVE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-31-278-301-8 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF CARL AND SHERRY SCHULTZ WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-31-278-301-8 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH

RESPECT TO PARCEL No. 3301-31-278-301-8 BE REDUCED BY 25%; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY CARL AND SHERRY SCHULTZ AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-31-278-301-8 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE

YEAS: 5

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

ABSENT: 2

#### RESOLUTION #297

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, TERRACE ASSOCIATES, L.L.C., FILED A CLAIM AGAINST THE CITY IN AN APPROXIMATE AMOUNT OF \$1,150.00 FOR REIMBURSEMENT OF RENTAL REGISTRATION FEES FOR 23 BUILDINGS LOCATED ON BEECHFIELD, BETTER KNOWN AS "FAIRFIELD PLACE", LANSING, MICHIGAN;

WHEREAS, THE CLAIM WAS SENT TO THE GENERAL SERVICES COMMITTEE;

WHEREAS, THE COMMITTEE DETERMINED THAT THE PROCEDURAL ACTIONS DICTATED BY THE LANSING HOUSING CODE WERE TAKEN AND DOCUMENTED BY THE BUILDING SAFETY DIVISION AND THE CITY HAS NO LEGAL OBLIGATION TO REIMBURSE THE CLAIMANT FOR THE RENTAL REGISTRATION FEES;

WHEREAS, THE COMMITTEE RECOMMENDS THAT THE CLAIM BE DENIED 2-0;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO DENY THE CLAIM OF TERRACE ASSOCIATES, L.L.C.; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS REQUESTED TO NOTIFY THE CITY ATTORNEY'S OFFICE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #298

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, COREY M. BARKSDALE FILED A CLAIM AGAINST THE CITY IN AN APPROXIMATE AMOUNT OF \$10,000.00 FOR RECOMPENSE FOR THE VALUE OF HIS MOTOR VEHICLE,



WHICH WAS SUBSEQUENTLY SOLD AT AUCTION;

WHEREAS, THE CITY ATTORNEY'S STAFF RECOMMENDATION WAS TO DENY THE CLAIM;

WHEREAS, THE CITY ATTORNEY'S STAFF RECOMMENDATION WAS REVIEWED BY THE COMMITTEE ON GENERAL SERVICES;

WHEREAS, THE COMMITTEE DETERMINED THAT THE PROCEDURAL ACTIONS DICTATED BY THE UNIFORM TRAFFIC CODE OF THE CITY OF LANSING; THAT BEING SECTION 2.5, ET. SEQ. AND THE ACTIONS TAKEN AND DOCUMENTED BY THE LANSING POLICE DEPARTMENT AND THE CITY HAS NO LEGAL OBLIGATION TO REIMBURSE THE CLAIMANT'S FOR THE LOSS OF HIS VEHICLE;

WHEREAS, THE COMMITTEE RECOMMENDS THAT THE CLAIM BE DENIED 2-0;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO DENY THE CLAIM OF COREY M. BARKSDALE; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS REQUESTED TO NOTIFY THE CITY ATTORNEY'S OFFICE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #299**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, FIRST OF AMERICA BANK-MICHIGAN, N.A. HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 3600-3602 SOUTH MARTIN LUTHER KING BOULEVARD FROM ROCKY'S TEAKWOOD LOUNGE, INC.; AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT SAID APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICE HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST OF FIRST OF AMERICA BANK-MICHIGAN, N.A. TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 3600-3602 SOUTH MARTIN LUTHER KING BOULEVARD FROM ROCKY'S TEAKWOOD LOUNGE, INC. IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #300**

BY THE GENERAL SERVICES COMMITTEE

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, NEW CHINA OF MI, INC. HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 6250 SOUTH CEDAR FROM NAPPY ENTERPRISES, INC. (AKA/ PANDA'S CHINESE RESTAURANT); AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT SAID APPLICATION HAS BEEN REVIEWED AND APPROVED BY APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICE HAS REVIEWED THIS MATTER AND RECOMMENDS THAT THE APPLICATION BE FORWARDED TO THE COMMISSION WITH A POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE REQUEST OF NEW CHINA OF MI, INC. TO TRANSFER OWNERSHIP OF 1996 CLASS C LICENSED BUSINESS AT 6250 SOUTH CEDAR STREET FROM NAPPY ENTERPRISES, INC. IS HEREBY RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #301**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

SECOND HAND DEALER: DICKER AND DEAL,  
1701 SOUTH CEDAR  
STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #302**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

SECOND HAND DEALER: MOOSE CREEK  
SPORTS, 506 ISBELL  
STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #303**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

SECOND HAND DEALER: MUSIC MANOR, 3333  
SOUTH CEDAR STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #304**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

SECOND HAND DEALER: J & J APPLIANCE,  
1901 W. SAGINAW  
STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #305**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

SECOND HAND DEALER: CAPITOL DISCOUNT AND  
SECOND HAND STORE,  
INC. 2720 NORTH  
EAST STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #306**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES  
RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION  
FOR CITY LICENSE:

PEDDLER: MILDRED B. JONES, 2715 SENATE  
DRIVE

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #307**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION  
FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED  
WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS  
COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

PEDDLER: RICHARD SNYDER, 6687 COLEMAN ROAD

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #308**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: O'DONNELL'S REPAIR, INC.,  
1425 RENSEN ST.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #309**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WRECKER SERVICE: SHROYER'S AND CENTRAL  
TOWING, INC. 613 POXSON  
STREET

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

PULLED FROM THE AGENDA AT THE REQUEST OF  
COUNCILMEMBER BENAVIDES & REFERRED  
TO THE COMMITTEE OF THE WHOLE

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER

GRANGER CONTAINER SERVICE, 16980 WOOD ROAD

**RESOLUTION #310**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM SARA PEHFIVANOGLU, OF 1714 SOUTH GENESEE DRIVE, TO CHANGE THE PARKING REGULATIONS IN THE 1700 AND 1800 BLOCKS SOUTH GENESEE DRIVE. MRS. PEHLIVANOGLU MADE THIS REQUEST SO FAMILY MEMBERS AND VISITORS COULD PARK ON THE NORTH SIDE OF SOUTH GENESEE DRIVE FOR A SHORT PERIOD OF TIME, WHILE DISCOURAGING ALL DAY PARKING BY G. M. EMPLOYEES A PETITION WAS SIGNED BY 18 RESIDENTS, REPRESENTING 14 OUT OF 16 HOUSEHOLDS IN THE 1700 AND 1800 BLOCKS OF SOUTH GENESEE DRIVE.

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD,

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES,

WHEREAS, PURSUANT TO SECTION 2.53(2) OF THE LANSING CODE OF ORDINANCES THE TRANSPORTATION ENGINEER ON APRIL 18, 1996, ENACTED A TEMPORARY TRAFFIC CONTROL ORDER TO LIMIT PARKING ON THE NORTH SIDE OF SOUTH GENESEE DRIVE TO TWO HOURS BETWEEN MEMPHIS STREET TO VERLINDEN AVENUE;

WHEREAS, SITE VISITS TO THE AREA AND A DISCUSSION WITH MRS. PEHLIVANOGLU HAVE CONFIRMED THAT THE TEMPORARY PARKING REGULATIONS ARE EFFECTIVE IN DISCOURAGING ALL-DAY PARKING BY G. M. EMPLOYEES WHILE ACCOMMODATING THE SHORT TERM NEEDS OF THE RESIDENTS;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO MAKE PERMANENT THE TEMPORARY PARKING REGULATIONS,-

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD,

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND REQUESTED A SURVEY BE SENT TO THE RESIDENTS OF THE 1700 AND 1800 BLOCKS OF SOUTH GENESEE DRIVE REQUESTING THAT EACH HOUSEHOLD VOTE IN SUPPORT OF THE TYPE OF PARKING REGULATION THAT THEY WOULD PREFER,

WHEREAS, EIGHT (8) HOUSEHOLDS SUPPORTED MAINTAINING THE TWO HOUR PARKING LIMIT BETWEEN THE HOURS OF 8 AM AND 6 PM ON THE NORTH SIDE OF SOUTH GENESEE DRIVE FROM MEMPHIS STREET TO VERLINDEN AVENUE, FOUR (4) RESIDENT SUPPORTED PROHIBITING PARKING ON THE NORTH SIDE OF SOUTH GENESEE DRIVE FROM MEMPHIS STREET TO VERLINDEN AVENUE, EXCEPT ON THE WEEKENDS,, AND THREE (3) HOUSEHOLDS SUPPORTED PROHIBITING PARKING ON THE NORTH SIDE OF SOUTH GENESEE DRIVE FROM MEMPHIS STREET TO VERLINDEN AVENUE AT ANY TIME;

WHEREAS, THE TRANSPORTATION DIVISION MAILED THE RESULTS OF THE PARKING SURVEY TO THE RESIDENTS OF SOUTH GENESEE DRIVE INFORMING THEM THAT THIS MATTER WILL BE CONSIDERED ON THE JUNE 2 1997 CITY COUNCIL AGENDA;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NO. 96-036, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO LIMIT PARKING ON THE NORTH SIDE OF SOUTH GENESEE DRIVE TO TWO HOURS FROM MEMPHIS STREET TO VERLINDEN AVENUE;

BE IT FURTHER RESOLVED THAT THE EXISTING PARKING REGULATIONS ARE DOCUMENTED ON THE TRAFFIC CONTROL ORDER NO. 96-036 SUPPORTING THE HISTORIC PARKING REGULATION WHICH PROHIBITS PARKING ON THE SOUTH SIDE OF SOUTH GENESEE DRIVE FROM VERLINDEN AVENUE TO MEMPHIS STREET,

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NO. 96-036 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER AND FILED WITH THE CITY CLERK.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

ITEM VIII, B-4, RESOLUTION AUTHORIZING WORKER'S

COMPENSATION SETTLEMENT REDEMPTION-SSN 144-44-8147, WAS PULLED FROM THE AGENDA AT THE DIRECTION OF PRESIDENT BEAL

#### RESOLUTION #311

BY COUNCILMEMBER JONES, LILLY, BEAL  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, SECTION 3-206.1 OF THE CITY CHARTER STATES THAT THE "CITY COUNCIL MAY MAKE INVESTIGATIONS INTO THE AFFAIRS OF THE CITY AND THE CONDUCT OF ANY CITY AGENCY," AND

WHEREAS, ON THURSDAY, MAY 29, 1997, THE LANSING POLICE DEPARTMENT UTILIZED A COMBINATION OF OFFICERS IN RIOT GEAR AND TEARGAS TO DISPERSE A LABOR PROTEST ON THOMPSON STREET, NEAR THE MELLING FORGING COMPANY; AND

WHEREAS, THE INITIAL REPORTS FROM OBSERVERS, AND PARTICIPANTS INDICATE THAT THERE WAS NO DISCERNIBLE THREAT TO PEOPLE OR PROPERTY AT THE TIME OF THE TEAR GASSING COMMENCED; AND

WHEREAS, CONFUSION EXISTS REGARDING WHETHER ADEQUATE WARNING OF ANY IMPENDING ACTION WAS ISSUED TO EITHER PROTESTERS, OR TO RESIDENTS WHO WERE ALSO AFFECTED; AND

WHEREAS, EITHER CONFLICTING OR NO INFORMATION HAS BEEN PRESENTED TO COUNCILMEMBERS REGARDING THE LEVEL AND DEGREE OF PRE-PLANNING THAT OCCURRED PRIOR TO THE DEPLOYMENT OF POLICE OFFICERS TO THE SITE; AND

WHEREAS, THIS CITY COUNCIL IS GRAVELY CONCERNED REGARDING THE USE OF FORCE TO DISPERSE CROWDS;

NOW, THEREFORE, BE IT RESOLVED, THAT THIS MATTER BE REFERRED TO THE COMMITTEE OF THE WHOLE TO CONDUCT A FORMAL INVESTIGATION.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #312

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE COMMUNITIES OF COLOR OPPOSED TO SMOKING FOR THEIR SUMMIT ON JUNE 9, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$1040.00 TO ACCOUNT #101-173901-741200-0, FOR LANSING CENTER RENTAL COSTS.

BY COUNCILMEMBER BENAVIDES

TO DISCHARGE THE COMMITTEE ON GENERAL SERVICES FROM CONSIDERATION OF THIS MATTER, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

CARRIED UNANIMOUSLY

**RESOLUTION #313**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, Ms. SHIRLEY ROGERS HAS EXPRESSED HER INTEREST IN BEING REAPPOINTED TO SERVE ON THE TRI COUNTY REGIONAL PLANNING COMMISSION; AND

WHEREAS THE COUNCIL REPRESENTATIVE AND CURRENT COMMISSION CHAIR, HAROLD LEEMAN, JR., HAS STRONGLY RECOMMENDED HER RE-APPOINTMENT AS SHE HAS BEEN A VALUABLE ASSET TO THE BOARD,

NOW, THEREFORE, BE IT RESOLVED THE APPOINTMENT OF SHIRLEY ROGERS IS HEREBY CONFIRMED. TERM EXPIRES MAY 31, 1998.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #314**

BY COUNCILMEMBER HAROLD LEEMAN

BY COUNCILMEMBER LEEMAN

TO RECONSIDER RESOLUTION #238, PUBLIC IMPROVEMENT III, SETTING A PUBLIC HEARING IN CONSIDERATION OF SPECIAL ASSESSMENTS IN THE FORM OF PUBLIC IMPROVEMENTS ON CAVANAUGH RD. FROM PENNSYLVANIA AVE. TO AURELIUS RD, ADOPTED BY THIS CITY COUNCIL ON MAY 27, 1997.

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LEEMAN

TO AMEND THE RESOLUTION BY CHANGING THE DATE OF THE PUBLIC HEARING FROM JUNE 9, 1997 TO JUNE 16, 1997

CARRIED UNANIMOUSLY

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY RELATED ISSUES:

DARNELL OLDHAM, SR., OF 3815 BERWICK DR. CALLED THE MELLING FORGING TEAR GASSING INCIDENT "ANOTHER STUPID MOVE BY THE POLICE DEPARTMENT AGAINST THE CITIZENS OF LANSING" WHICH POINTS OUT THE NEED FOR A CITIZENS REVIEW BOARD.

FRANK CURTIS "X", NO ADDRESS GIVEN, SPOKE AGAINST POLICE BRUTALITY AND THE MELLING FORGING TEAR GAS INCIDENT.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT THE MARCH FOR JUSTICE GROUP IS WRITING A CHARTER AMENDMENT FOR THE ADDITION OF A CITIZENS REVIEW BOARD.

REVEREND LESTER D. STONE, OF THE MARCH FOR JUSTICE, REQUESTED A MEETING WITH MAYOR HOLLISTER TO DISCUSS THEIR CONCERNS ABOUT THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE. THEY HAVE MADE THIS REQUEST IN THE PAST AND IT HAS BEEN DENIED. HE ANNOUNCED THAT HE WILL BE AT THE JUNE 12, 1997 PICKET AT MELLING FORGING. HE STATED THAT THE RESIDENTS OF THIS AREA WERE OUTRAGED BY THIS EVENT. THEY ARE NOT HERE TONIGHT TO SPEAK OUT, BUT HE SPOKE PERSONALLY WITH THEM LAST SATURDAY.

MELANIE ROGERS OF 409 W. WILLOW SAID THAT SHE SAT NEXT TO POLICE CHIEF BOLES AT TONIGHT'S MEETING AND OBSERVED HIM WRITING DOWN THE NAMES OF THE SPEAKERS WHO SPOKE DURING PUBLIC COMMENT.

JAMES BANCROFT OF 1015 COOPER AVE. CALLED FOR THE RESIGNATION OF THE CAPTAIN WHO ORDERED THE MELLING FORGING TEAR GASSING.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. STATED HIS SUPPORT FOR AN INDEPENDENT CITY COUNCIL INVESTIGATION INTO THE MELLING FORGING INCIDENT. HE STATED THAT HE SEES BIAS IN CITY COUNCIL'S SPEEDY ACTION TO INITIATE THIS INVESTIGATION, BECAUSE WHEN THE BLACK COMMUNITY BROUGHT ISSUES BEFORE THEM THEY HAVE NOT ACTED SO EXPEDIENTLY. THIS DEMONSTRATES PREJUDICE AND BIAS. WHAT ABOUT AN INVESTIGATION INTO THE MURDERS OF EDWARD SWANS AND REX BELL?

ALBERTA JORDAN, NO ADDRESS GIVEN, DECLARED THAT COUNCILMEMBERS ARE AS MUCH TO BLAME FOR THE MELLING FORGING INCIDENT AS THE MAYOR IS, BECAUSE THEY ALL WORK TOGETHER. COUNCIL SHOULD HAVE DONE SOMETHING ABOUT THE MAYOR A LONG TIME AGO. SHE MADE SEVERAL CRITICISMS OF COUNCIL PRESIDENT BEAL, SAYING, THAT SHE DOES NOT KNOW WHAT SHE IS DOING.

RUSSELL TERRY OF 121 E. MT. HOPE ANNOUNCED HIS CANDIDACY FOR MAYOR. HE STATED THAT HE ONCE WORKED AS A SECURITY OFFICER AT LINDELL DROP FORGE.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE SPOKE IN OPPOSITION TO THE RECONSIDERATION OF RESOLUTION #283, WHICH SETS A PUBLIC HEARING ON THE CAVANAUGH

RD. RECONSTRUCTION. SHE DEMANDED THAT ALL FUTURE RESPONSES TO HER BE MADE IN WRITING.

DALE BRYZINSKI OF 4709 N. PENNSYLVANIA, PRESIDENT OF THE LANSING BUILDING TRADES STATED HIS SUPPORT FOR A MAYORAL INVESTIGATION INTO THE MELLING FORGING INCIDENT. MAYOR HOLLISTER HAS ALWAYS BEEN SUPPORTIVE OF UNION FAMILIES IN LANSING, WHILE COUNCILMEMBERS HAVE NOT, YET MANY OF THEM WILL JUMP ON THIS BAND-WAGON TONIGHT FOR THE PUBLICITY BECAUSE IT IS AN ELECTION YEAR.

KURT KUNKLEMAN OF 324 S. HAYFORD THANKED COUNCILMEMBERS FOR THEIR WILLINGNESS TO INVESTIGATE THE MELLING FORGING TEAR GAS INCIDENT AND STATED HIS SUPPORT FOR THE CREATION OF A CITIZENS REVIEW BOARD.

TIM MCBRIDE OF 328 S. MAGNOLIA SAID THAT HE HAS RECEIVED A WARNING THAT, IF HE APPEARS AT THE MAYOR'S OFFICE AGAIN, HE WILL BE ARRESTED. HE HAS BEEN ARRESTED 5 TIMES THIS YEAR. HE URGED COUNCIL TO EXPAND THEIR INVESTIGATIVE EFFORTS TO INCLUDE ALL OF THE POLICE DEPARTMENT. HE STATED THAT HE HAS BEEN GASSED AND RESTRAINED IN THE JAIL JUST BECAUSE HE REFUSED TO DO WHAT POLICE WANTED HIM TO DO.

#### **CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

FIREWORKS DISPLAY PERMIT:

MELROSE PYROTECHNICS, INC. AT OAK PARK ON JULY 4, 1997

LARRY J. HOLLY AT OLDSMOBILE PARK ON JUNE 21, 1997 & JULY 4, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTER FROM 54-A DISTRICT COURT CHIEF JUDGE, PAULA J. MANDERFIELD REQUESTING COUNCIL'S CONFIRMATION OF THE APPOINTMENT OF THOMAS JOHN MATTERN AS PART-TIME ATTORNEY MAGISTRATE TO COVER SHORTAGES DUE TO MATERNITY LEAVE

REFERRED TO THE COMMITTEE OF THE WHOLE

4. LETTERS FROM THE BOARD OF WATER & LIGHT RE:

A. BOARD OF WATER & LIGHT ANNUAL BUDGET FY ENDING JUNE 30, 1998, ADOPTED BY THEIR BOARD OF

COMMISSIONERS ON MAY 20, 1997

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. PROPOSED ELECTRIC & WATER RATE CHANGES AND PUBLIC HEARING NOTICE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. LANSING ENTERTAINMENT & PUBLIC FACILITIES AUTHORITY FINANCIAL STATEMENTS AS OF APRIL 30, 1997

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: LFD, PARKS & RECREATION, LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. PUBLIC IMPROVEMENT III; CURB & GUTTER AND DRAINAGE FACILITIES ON MEL AVE., WIELAND ST., DAVID ST., DORIS ST. AND SCHAFER RD.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. CSO PROJECT PLAN AMENDMENT #1, FINAL DRAFT & RESOLUTION

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. LETTER OF APPRECIATION FROM STANLEY K. MORGAN TO OFFICER SCOTT ELLIS

RECEIVED AND PLACED ON FILE

E. PRINCIPAL SHOPPING DISTRICT SPECIAL ASSESSMENT

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. SUSPENSION ITEM; FROM COUNCILMEMBER LILLY, FIRST AMENDMENT TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY OPERATING AGREEMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

#### **COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM WILLIAM BURT BURLESON RESPONDING TO HIS PERFORMANCE EVALUATION, AND A CITY ATTORNEY MEMO OF MAY 21, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. LETTER FROM ATTORNEY FOR ROBERTA ROBERTS OF 3715 GLENBROOK REGARDING A CLAIM FILED ON HER BEHALF FOR FAILURE TO HOOK HER PROPERTY INTO THE SEWER SYSTEM

REFERRED TO THE CITY ATTORNEY

3. DUES MEMBERSHIP NOTICE FROM THE NATIONAL LEAGUE OF CITIES

REFERRED TO THE MAYOR

4. COPY OF A LETTER FROM KIM A. WILSON, PH.D., 2327 TULANE DR. TO MEDIAONE REGARDING HER CABLE TELEVISION SERVICE

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

5. MICHIGAN TAX TRIBUNAL APPEAL FILED BY MOTOR WHEEL CORPORATION

REFERRED TO THE CITY ATTORNEY

6. LETTER FROM KELLY PROPER OF 111 E. CAVANAUGH OF CONCERNED RESIDENTS OF CEDAR/CAVANAUGH AREA REGARDING THE REZONING PETITION FILED BY ARBOR DRUG FOR THE CORNER OF CEDAR ST. AND CAVANAUGH RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

7. LETTER FROM DARLENE SHERRELL OF 3010 W. JOLLY RD. REGARDING THE FLUORIDATION OF DRINKING WATER

RECEIVED AND PLACED ON FILE

8. LETTER FROM LORETTA VANCAMP OF 1379 LAKESIDE DR. IN E. LANSING REGARDING THE USE OF PARK MILLAGE FUNDS FOR RENOVATION OF THE POTTER PARK ZOO ENTRANCE AND EDUCATION CENTER

REFERRED TO THE MAYOR

9. SUSPENSION ITEM; FROM COUNCILMEMBER ALLEN, A LETTER FROM IMPRESSION FIVE MUSEUM APPEALING CHARGES FOR FALSE ALARMS AT THEIR FACILITY

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

CARRIED UNANIMOUSLY

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER LILLY REPORTED SPENDING TIME IN DURHAM, N.C. WITH HIS WIFE. THEY WERE THERE TO VISIT SOME OF LAST YEAR'S LUGNUTS WHO HAVE MOVED UP TO THE NEXT LEVEL IN THE MINOR'S. TONIGHT SAW THE START OF THE DIAMOND CLASSIC AT OLDSMOBILE PARK, AND HOPEFULLY THEY WERE ABLE TO GET BOTH GAMES IN. LANSING COMMUNITY COLLEGE STUDENTS WERE ON HAND TO HANDLE THE BROADCASTING OF BOTH OF TONIGHT'S GAMES AND HE HOPES THEY CAN RETURN FOR THE REMAINDER OF THE GAMES, AS WELL. HE ANNOUNCED THE REGULARLY SCHEDULED MEETING OF THE COMMITTEE ON DEVELOPMENT AND PLANNING TOMORROW AT 4:00 P.M.

COUNCILMEMBER JONES COMMENDED THE VOLUNTEERS WHO HAVE PLANTED FLOWERS THROUGHOUT THE CITY, PARTICULARLY THOSE WHO WORKED ON BARNES AVE. HE URGED EVERYONE TO TAKE THE TIME TO DRIVE BY AND LOOK AT THE OLD "BUTTERFLY HOUSE" ON WASHINGTON THAT HAS BEEN PURCHASED AND RENOVATED BY GARY HUER. MR. HUER HAS SPENT MORE THAN \$70,000 REHABILITATING THIS HISTORIC STRUCTURE.

COUNCILMEMBER CONGRATULATED MR. & MRS. E. MEYER ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

COUNCILMEMBER LEEMAN THANKED EVERYONE WHO VOLUNTEERED TO PLANT FLOWERS AS PART OF THE "NEIGHBORHOODS IN BLOOM" PROJECT. HE COMMENDED THE NORTH LANSING HERITAGE FESTIVAL ON THEIR SUCCESSFUL HERITAGE FESTIVAL LAST WEEKEND.

COUNCILMEMBER BEAL CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE COMMITTEE OF THE WHOLE AT 4:00 P.M. THIS THURSDAY. SHE WISHED "HAPPY BIRTHDAY" TO FRAN KNOT, SENIOR LEGISLATIVE ASSISTANT.

### MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

MR. WIENER ANNOUNCED THAT MICHIGAN AVE. FROM MARTIN LUTHER KING, BLVD. TO WAVERLY RD. WILL BE CLOSED FOR CONSTRUCTION FROM JULY 4TH, THROUGH OUT THE SUMMER. DETOUR SIGNS WILL BE INSTALLED.

**ADJOURNED 10:45 P.M.**

**MARILYNN SLADE, CITY CLERK**

### OTHER CITY RELATED MATTERS

#### MOTION OF EXCUSED ABSENCE

BY COUNCILMEMBER LILLY

TO EXCUSE COUNCILMEMBERS BAUER AND NOVAK FROM TONIGHT'S PROCEEDINGS



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JUNE 9, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: COUNCILMEMBER BAUER

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF MAY 27, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER ALLEN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER ALLEN; A PETITION FROM RESIDENTS ON E. MT. HOPE RD. REGARDING THE PROPOSED RECONSTRUCTION OF MT. HOPE RD.

2. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM GRANGER CONTAINER SERVICES REGARDING THEIR APPLICATION FOR A CITY OF LANSING WASTE HAULER PERMIT AND THEIR SAFETY PRECAUTIONS

3. FROM COUNCILMEMBER LILLY; A RESOLUTION APPROVING THE QUALITY DAIRY CO. PROJECT PLAN

4. FROM COUNCILMEMBER JONES; A REQUEST FOR SUSPENSION OF THE RULES TO ALLOW FOR THE ADDITION OF A SPECIAL CEREMONY TO THE AGENDA TO HONOR HORTICULTURE VOLUNTEERS AT LANSING CITY MARKET

5. FROM COUNCILMEMBER JONES; A RESOLUTION APPROVING SELECTION OF AN OUTSIDE AUDITOR FOR CITY OF LANSING AUDITS

6. FROM COUNCILMEMBER LEEMAN; A PETITION FROM 11 RESIDENTS ON MERRILL ST. REGARDING RECONSTRUCTION ON THEIR STREET

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► SPECIAL CEREMONIES

COUNCILMEMBER JONES PRESENTED A TRIBUTE TO STUDENT PARTICIPANTS OF THE LANSING SCHOOL DISTRICT'S CITY MARKET BEAUTIFICATION, LANDSCAPE AND HORTICULTURE PROJECT. LISA WOOD, COORDINATOR FOR THE PROJECT THANKED ALL OF THE SPONSORS AND THE STUDENTS WHO PARTICIPATED.

► ANNOUNCEMENT OF CITY EVENTS

COUNCILMEMBER NOVAK REMINDED THE VIEWING AUDIENCE THAT TODAY IS ELECTION DAY FOR THE LANSING COMMUNITY COLLEGE BOARD OF TRUSTEES ELECTION. THERE IS STILL TIME TO GET TO THE POLLS AND VOTE.

COUNCILMEMBER JONES CRITICIZED THE LANSING STATE JOURNAL FOR THEIR "BIAS". HE ANNOUNCED THAT ANYONE INTERESTED IN BECOMING INFORMED ABOUT THE CANDIDATES FOR CITY ELECTIVE OFFICE CAN ATTEND A "MEET THE CANDIDATES NIGHT" THIS WEDNESDAY, JUNE 11, 1997 AT MOORES PARK SCHOOL

COUNCILMEMBER BEAL STATED THAT SHE HAS CANCELED HER SUBSCRIPTION TO THE STATE JOURNAL.

MAYOR HOLLISTER ANNOUNCED THAT SATURDAY, JUNE 14, 1997 IS THE DATE OF THE FIRST ANNUAL MAYOR'S FAMILY RIVERWALK EVENT. THE "WALK" WILL BEGIN AT POTTER PARK AT 9:00 A.M. AND WILL GO FROM THE ZOO TO TURNER DODGE MANSION. A PICNIC AND REFRESHMENTS WILL BE PROVIDED AT TURNER DODGE. THERE WILL BE GIFTS FOR THE KIDS AND GOODIE BAGS AVAILABLE FOR PARTICIPANTS. THIS EVENT IS SPONSORED BY M-CARE, WHO WILL ALSO PROVIDE INFORMATION ON HEALTH LIFESTYLES. THERE WILL BE A DRAWING, AND THE WINNER WILL RECEIVE AN ALL EXPENSE PAID TRIP TO THE GOVERNOR ANNUAL MACKINAC ISLAND BRIDGE WALK.

THE MAYOR ANNOUNCED THE CONTINUATION OF THE "CONCERT IN THE PARK" PROGRAM BEGINNING NEXT WEDNESDAY, JUNE 18, 1996 AT FRANCIS PARK, FEATURING THE LANSING CONCERT BAND. THE KIDS KAMPS SUMMER PROGRAM WILL BEGIN ON JUNE 21ST AND WILL RUN THROUGH AUGUST 7TH. THESE ACTIVITY CAMPS WILL RUN FOUR (4) DAYS PER WEEK FROM 9:30 A.M. 50 3:00 P.M. THE CAMPS WILL SPONSOR "FIELD TRIPS INCLUDING LUGNUTS GAMES AND A TRIP TO GRAND RIVER PARK. INTERESTED PARTIES MAY CONTACT 483-4277. THESE ACTIVITIES ARE FREE FOR CHILDREN 6 YEARS AND OLDER. HUNTER PARK SWIMMING POOL WILL OPEN THIS WEEKEND. THERE HAVE BEEN EXTENSIVE RENOVATIONS DONE AT THE MOORES PARK POOL AND THAT FACILITY IS EXPECTED TO



OPEN ON JUNE 22ND. JUNE 14, 1997 IS "BE A TOURIST IN YOUR OWN TOWN" DAY AND WILL INCLUDE A SESQUICENTENNIAL BIRTHDAY PARTY FOR THE CITY ON THE CAPITOL LAWN. DICK LETTS WILL BE HONORED AT THE PARTY WITH A SPECIAL CEREMONY SCHEDULED FOR 2:00 P.M.

MAYOR HOLLISTER ANNOUNCED THAT THE PARKS & RECREATION DEPARTMENT HAS WON AN AWARD FOR PROGRAMMING FOR PEOPLE WITH DISABILITIES. HE THANKED COUNCILMEMBER LILLY FOR TAKING UP THE QUALITY DAIRY PROJECT APPROVAL ISSUE AT TONIGHT'S MEETING. HE SUPPORTS ADOPTION OF THE PROJECT.

COUNCIL PRESIDENT BEAL ANNOUNCED THAT THIS WEDNESDAY, JUNE 11, 1997 IS EASTERN HIGH SCHOOL'S COMMENCEMENT CEREMONIES. THEIR STUDENT AID, JOSE GODINAS WILL GRADUATE. SHE WISHED JOSE THE BEST OF LUCK FOR HIS FUTURE PLANS AND SAID THAT THEY WILL ALL MISS HIM WHEN HE MOVES ON.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### ► PUBLIC HEARINGS

THERE WERE NO SCHEDULED PUBLIC HEARINGS

#### ► PUBLIC COMMENT ON LEGISLATIVE MATTERS

RICHARD FISER OF 12100 S. CORK RD. IN MORRICE, MI SPOKE IN OPPOSITION TO THE PASSAGE OF THE RESOLUTION AUTHORIZING THE HIRING OF A CSO CONSULTANT. MAYOR HOLLISTER HAS STATED THAT HE IS IN POSSESSION OF A LETTER FROM THE FEDERAL GOVERNMENT CONFIRMING THE MANDATE ON THE SEWER SEPARATION PROGRAM. HE WANTS A COPY OF THIS COMMUNICATION.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, MI STATED HER AGREEMENT WITH THE STATEMENTS MADE BY HER HUSBAND. SHE DEMANDED THAT MAYOR HOLLISTER PRODUCE COPIES OF THIS LETTER.

TOM HERNLY OF 3425 PALMER SPOKE IN OPPOSITION OF THE RESOLUTION SELECTING A CONSULTANT TO PERFORM THE CSO PROJECT STUDY. HOWEVER, HE STATED, HE DOES WANT THE ENTIRE PROJECT, INCLUDING THE FUNDING MECHANISM STUDIED. HE OPPOSES THE CO-MINGLING OF FUNDS ON THIS PROJECT, AS WELL AS THE CONSTRUCTION OF THE NEW PUMPING STATION THAT WILL COST THE TAX PAYERS APPROXIMATELY \$10,000,000.

MARSHALL TAPLIN OF 4161 WOODCREEK LANE SAID THAT HE IS GLAD TO SEE SOME OF THE POTHOLES BEING FIXED IN THE CITY. HOWEVER, HE OBJECTS TO PEOPLE WHO LIVE OUTSIDE OF THE CITY, COMING INTO LANSING AND TEARING UP THE STREETS AND CAUSING ADDITIONAL COSTS TO THE SEWER SYSTEM THAT IS ULTIMATELY PAID FOR BY LANSING RESIDENTS.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH ASKED FOR MORE INFORMATION ON THE CSO CONTRACT. SHE WANTS TO KNOW WHY MORE BLACK BUSINESSES ARE NOT GRANTED MORE CITY CONTRACTS. SHE ASKED WHAT THE CITY IS GOING TO DO TO MAKE THE BLACK COMMUNITY MORE AWARE

OF THE FREE MONEY THAT THE CITY HAS TO GIVE OUT, THAT IS AVAILABLE TO THEM.

LLOYD TEETS OF 116 E. ELM ST. THANKED COUNCIL FOR PULLING THE GRAINGER WASTE HAULER LICENSE LAST WEEK. HIS CONCERN WAS THAT GRANGER TAKE NECESSARY STEPS TO INSTALL WARNING ALARMS ON ALL OF THEIR TRUCKS TO PREVENT ANOTHER DISASTER WITH A PEDESTRIAN SKYWALK. HE SPOKE IN SUPPORT OF THE ADOPTION OF THE RESOLUTION APPROVING SELECTION OF THE CSO PROJECT CONSULTANT.

DARNELL OLDHAM, SR. OF 3815 BERWICK URGED MAYOR HOLLISTER TO PRODUCE THE LETTER THAT HE HAS SAID HE HAS CONFIRMING THE FEDERAL MANDATES ON THE CSO PROJECT. HE DEMANDED A REFUND OF THE MONIES HE HAS PAID IN 1996 STORMWATER ENTERPRISE FUND FEES.

ALEXANDER BOLT OF 1230 REO RD. SAID THAT HE WANTS TO SEE THE MISSION STATEMENT THAT WAS PRESENTED TO THE CSO CONSULTANT. CITIZENS WILL NOT SUPPORT FUNDING FOR ANY PROJECT OTHER THAN ONE TO STOP THE ADDITION OF SEWAGE INTO THE GRAND RIVER.

FRANK CURTIS "X", NO ADDRESS GIVEN, GIVEN SAID THAT RESIDENTS ON THE SOUTH SIDE HAVE ALREADY PAID FOR SEWER SEPARATION. THE GRAND RIVER IS POLLUTED, BEFORE IT GETS TO LANSING.

### **LEGISLATIVE MATTERS RESOLUTIONS**

#### RESOLUTION #315

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

WASTE HAULER

GRANGER CONTAINER SERVICE 16980 WOOD ROAD

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1, (COUNCILMEMBER JONES DISSENTING)

ABSENT: 1

**RESOLUTION #316**  
**BY COUNCILMEMBER JONES**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, OVER A THREE WEEK PERIOD THIS SPRING STUDENTS FROM THE LANSING SCHOOL SYSTEM VOLUNTEERED THEIR TIME AND EFFORT TO COMPLETE A LANDSCAPING PROJECT AT THE MUNICIPAL MARKET; AND

WHEREAS, UNDER THE TUTELAGE OF MR. LARRY PRINCINSKY, TEACHER AT HILL CENTER FOR ACADEMICS, LANDSCAPE AND HORTICULTURE STUDENTS PLANNED, PREPARED, AND PLANTED PERENNIALS AND SHRUBS AT THE MARKET RESULTING IN A SIGNIFICANT AND PLEASANT IMPROVEMENT TO THE MARKET GROUNDS; AND

WHEREAS, A CONSIDERABLE NUMBER OF LOCAL BUSINESSES VOLUNTEERED BOTH KNOWLEDGE AND MATERIALS TO THIS PROJECT.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 9TH DAY OF JUNE, 1997, HEREBY EXTENDS THEIR APPRECIATION TO THOSE BUSINESSES AND STUDENTS CONTRIBUTING TO THIS PROJECT; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL RECOGNIZES AND COMMENDS THE FOLLOWING STUDENTS FOR A JOB WELL DONE:

JENNIFER LYNN ALICEA, EVERETT HIGH; ALEISHA AUSTIN, EVERETT HIGH; JAMIE BANNING, EVERETT HIGH; SHAWN BENNETT, SEXTON HIGH; ANGELA BURL, HILL CENTER SHARONDA CONLEY, EVERETT HIGH; TANISHA CORTEZ, SEXTON HIGH; PAM EWING, SEXTON HIGH; SAMANTHA FIELDS, EVERETT HIGH; LISA GUO, HILL CENTER; MARLENE HASSE, EVERETT HIGH; MATIE HOAG, EVERETT HIGH; JANIELLE HOUSTON, SEXTON HIGH; DEONTAI JORDAN, EVERETT HIGH; AMBER LAWS, EASTERN HIGH  
 JOHNAIL OSBORNE, EVERETT HIGH; PHYLEN PEASE, EASTERN HIGH; TIFFANY RODEA, EASTERN HIGH; GARY SECOR, EVERETT HIGH; CURTIS SMITH, SEXTON HIGH; ROSIE VASQUEZ, EVERETT HIGH; DEMARCO WOODARD, EASTERN HIGH

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #317**  
**BY THE COMMITTEE ON**  
**DEVELOPMENT AND PLANNING**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, THE LANSING CITY COUNCIL IN RESOLUTION # 034, ADOPTED FEBRUARY 3, 1997, APPROVED ACT-11-96 AND AUTHORIZED THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS TO ACQUIRE SEVERAL PARCELS, INCLUDING THE PROPERTY LOCATED AT 1708 LANSING AVENUE, THE VACANT LOT (PARCEL 3301-08-228-611-9) ON ROOSEVELT STREET AND THE VACANT LOT (PARCEL 3301-08-227-161-9) LOCATED ON LANSING AVENUE, FOR THE

PURPOSE OF ASSEMBLING LAND TO CONSTRUCT A NEW PUMPING STATION AND SANITATION BASIN AT THE NORTH END OF ROOSEVELT AND LANSING AVENUES; AND

WHEREAS, THE FAIR MARKET VALUE OF EACH PROPERTY, ESTABLISHED BY INDEPENDENT APPRAISAL, HAS BEEN OFFERED BY THE CITY AND ACCEPTED BY THE OWNERS OF THE PROPERTIES; AND

WHEREAS, THE CITY CHARTER AND CHAPTER 208 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING REQUIRE CITY COUNCIL APPROVAL OF THE ACQUISITION AND DISPOSITION OF REAL PROPERTY;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL AUTHORIZE THE ACQUISITION OF THE FOLLOWING PROPERTIES:

1708 LANSING AVENUE, MORE PARTICULARLY DESCRIBED AS; LOT 419, NORTH HIGHLAND SUBDIVISION, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 6 OF PLATS, PAGE 4, INGHAM COUNTY RECORDS,

FOR THE FAIR MARKET VALUE OF \$36,000.00 PLUS CLOSING COSTS; AND

VACANT PARCEL #3301-08-228-611-9, MORE PARTICULARLY DESCRIBED AS; COMMENCING AT THE NORTHEAST CORNER OF LOT 180, THENCE WEST 140 FEET, THENCE NORTH 56 FEET TO THE SOUTHERLY LINE OF THE LANSING MANUFACTURER'S RAILROAD RIGHT OF WAY, THENCE SOUTHEASTERLY ALONG THE RIGHT OF WAY TO A POINT 10 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 179, THENCE SOUTH 10 FEET TO THE POINT OF BEGINNING, BEING A PART OF LOTS 178 AND 179, KNOLLWOOD PARK SUBDIVISION, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 3 PLATS, PAGE 24, INGHAM COUNTY RECORDS, FOR THE FAIR MARKET VALUE OF \$3,000.00 PLUS CLOSING COSTS; AND

VACANT PARCEL #3301-08-227-161-9, MORE PARTICULARLY DESCRIBED AS; LOT 413, NORTH HIGHLAND SUBDIVISION, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 6 OF PLATS, PAGE 4, INGHAM COUNTY RECORDS. FOR THE FAIR MARKET VALUE OF \$4,900.00 PLUS CLOSING COSTS.

BE IT FURTHER RESOLVED THAT UPON ACQUISITION, THE STRUCTURE ON THE PROPERTY LOCATED AT 1708 LANSING AVENUE SHALL BE RAZED AND THEREAFTER THE LAND BE UTILIZED TO IMPLEMENT THE PROPOSED PUMP STATION AND SANITATION BASIN PROJECT.

BE IT FURTHER RESOLVED THAT ALL COSTS TO ACQUIRE THE PROPERTIES AND REMOVE THE STRUCTURE SHALL BE PAID FROM THE CITY'S CSO LAND ACQUISITION ACCOUNT #414-453680-971000-61250.

BE IT FINALLY RESOLVED THE MAYOR IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESTATED TRANSACTION, SUBJECT TO

THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #318

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AUTO-AIR COMPOSITES, INC. ("Auto-Air"), HAS OPERATED A MANUFACTURING OPERATION SINCE 1956 FROM ITS FACILITY LOCATED AT 5640 ENTERPRISE DRIVE, LANSING, MICHIGAN (THE "LANSING FACILITY"); AND

WHEREAS, AUTO-AIR IS EXPANDING ITS OPERATIONS AND FINDS AN EXPANSION AT ITS LANSING FACILITY NOT FEASIBLE; AND

WHEREAS, AUTO-AIR HAS PURCHASED PROPERTY AND PLANS TO OPERATE A 46,000 SQUARE FOOT MANUFACTURING FACILITY AT 76 FIRST STREET IN SUNFIELD VILLAGE (THE "SUNFIELD FACILITY"); AND

WHEREAS, AUTO-AIR HAS MADE APPLICATION TO THE VILLAGE OF SUNFIELD FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR THE CONSTRUCTION AND EQUIPPING OF ITS SUNFIELD FACILITY (THE "PROJECT"); AND

WHEREAS, THE PROJECT WILL RESULT IN THE TRANSFER OF APPROXIMATELY 5-10 EXISTING EMPLOYEES FROM THE CITY OF LANSING TO THE VILLAGE OF SUNFIELD; AND

WHEREAS, AUTO-AIR IS CONFIDENT THAT THEY WILL BE ABLE TO HIRE AN ADDITIONAL 20-30 EMPLOYEES FOR ITS LANSING FACILITY PLANT TO REPLACE THOSE BEING TRANSFERRED TO THE SUNFIELD FACILITY; AND

WHEREAS, IN THE EVENT OF A TRANSFER OF EMPLOYMENT, PUBLIC ACT 198 OF 1974, AS AMENDED, REQUIRES THE MUNICIPALITY WHICH LOSES JOBS TO CONSENT, BY RESOLUTION, TO THE TRANSFER OF EMPLOYMENT.

NOW, THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. THAT IN AN EFFORT TO BE COOPERATIVE WITH OTHER GOVERNMENTAL UNITS IN THE AREA OF ECONOMIC DEVELOPMENT AND TO ALSO ENCOURAGE RECIPROCAL CONSIDERATIONS FOR THE TRANSFER OF EMPLOYEES FROM OTHER LOCAL UNITS TO THE CITY OF LANSING, AND IN ACCORDANCE WITH THE PROVISIONS OF PUBLIC ACT 198 OF 1974, AS AMENDED, THE CITY COUNCIL OF THE CITY OF LANSING HEREBY CONSENTS TO THE TRANSFER OF APPROXIMATELY 5-10 EMPLOYEES WHICH MAY OCCUR AS THE RESULT OF AUTO-AIR COMPOSITES EXPANDING ITS BUSINESS TO THE VILLAGE OF SUNFIELD, EATON COUNTY, MICHIGAN.

2. THE CITY CLERK IS HEREBY REQUESTED TO SEND TWO CERTIFIED COPIES OF THE RESOLUTION TO THE CLERK OF THE VILLAGE OF SUNFIELD, P.O.

BOX 66, SUNFIELD, MICHIGAN, 48890.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #319

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, JUNE 30, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-7-97, 315 E. JOLLY ROAD, "F" COMMERCIAL, "G-2" WHOLESALE AND "J" PARKING TO "F" COMMERCIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #320

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-17-96, 700-800 BLKS. BANCROFT CT.,  
CLOSURE TO THROUGH TRAFFIC

WHEREAS, THE GENESEE NEIGHBORHOOD ASSOCIATION HAS REQUESTED THAT THE CITY CLOSE THE ALLEY ON THE EAST END OF BANCROFT COURT TO THROUGH TRAFFIC; AND

WHEREAS, ON FEBRUARY 4, 1997, THE PLANNING BOARD REVIEWED THE REQUEST BY THE GENESEE NEIGHBORHOOD ASSOCIATION UNDER P.A. 285 OF 1931, AND VOTED UNANIMOUSLY (5-0) TO RECOMMEND APPROVAL OF THE CLOSURE OF THE EAST-WEST ALLEY AT THE EAST END OF BANCROFT COURT, AND THE DEVELOPMENT OF A LONG-TERM SOLUTION, WHICH MAY REQUIRE CITY ACQUISITION OF RIGHT OF WAY, TO SATISFY THE CONCERNS OF THE NEIGHBORHOOD AND THE TRAFFIC ENGINEER; AND

WHEREAS, THE BOARD CONSIDERED SEVERAL ALTERNATIVES FOR THE CLOSURE OF THE ALLEY AND FOUND, BASED ON TESTIMONY AND EVIDENCE ON THE LOCATION, CHARACTER AND EXTENT OF THE GENESEE NEIGHBORHOOD ASSOCIATION PROPOSAL, THAT:

(1) BANCROFT COURT IS NOT HEAVILY TRAVELED, BUT THE USE OF THE ALLEY FOR THROUGH TRAFFIC HAS BECOME A NUISANCE TO ADJACENT RESIDENCES,

(2) THE CITY'S INTERESTS IN UTILITY ACCESS AND TRAFFIC CIRCULATION ARE VALID REASONS FOR RETAINING OWNERSHIP OF THE PROPERTY,

(3) CLOSURE OF THE ALLEY ACCORDING TO THE APPLICANT'S REQUEST WILL NOT SUBSTANTIALLY AFFECT ACCESS OF EMERGENCY OR OTHER SERVICE VEHICLES,

(4) THE APPLICANT'S REQUESTED ALLEY CLOSURE DESIGN WILL NOT LAND LOCK PROPERTIES OR DENY PEDESTRIAN OR VEHICULAR ACCESS,

(5) A PERMANENT SOLUTION THAT IMPROVES ACCESS FOR EMERGENCY AND SERVICE VEHICLES MAY REQUIRE ADDITIONAL RIGHT-OF-WAY ACQUISITION; AND

WHEREAS, NO ONE SPOKE IN OPPOSITION TO THIS PROPOSAL AT THE PLANNING BOARD FEBRUARY 4, 1997 MEETING; AND

WHEREAS, UPON VACATION OF THE WEST 1/2 OF THE ALLEY, THE VACATED ALLEY WILL BE DIVIDED IN THE MIDDLE WITH THE NORTH AND SOUTH PORTIONS THEREOF, BECOMING PARTS OF THE ADJACENT LOTS TO THE NORTH AND SOUTH, RESPECTIVELY; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING REVIEWED THE REPORT AND RECOMMENDATION OF THE PLANNING BOARD AND RECEIVED COMMENTS FROM NEIGHBORS;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY VACATES A PORTION OF THE ALLEY IN THE 700 BLOCK OF BANCROFT BETWEEN THE EAST RIGHT OF WAY LINE OF BANCROFT COURT AND LEITRAM STREET IN THE CITY OF LANSING, SAID VACATED ALLEY BEING MORE PARTICULARLY DESCRIBED AS:

THE WEST 1/2 OF A STRIP OF LAND 11 FEET WIDE ADJACENT TO THE SOUTH LINE AND OFF THE SOUTH SIDE OF LOT 17, WM. FOSTER'S SUBDIVISION OF LOT 2, BLOCK 1, CLAYPOOLLS SUBDIVISION OF E 1/2 OF NE Y4, SECTION 17, T4N, R2W, CITY OF LANSING, MICHIGAN,

BUT RESERVING, HOWEVER, UNTO THE CITY OF LANSING AN EASEMENT UNDER, ACROSS, ABOVE AND WITHIN THE RIGHT OF WAY OF SAID VACATED ALLEY FOR UTILITY PURPOSES, INCLUDING THE RIGHT OF INGRESS AND EGRESS AT ALL TIMES FOR PUBLIC OR PRIVATE UTILITY AGENTS AND EMPLOYEES TO USE THE VACATED ALLEY, OR SO MUCH OF IT AS MAY BE NECESSARY, FOR THE INSTALLATION, MAINTENANCE, REPAIR OR REMOVAL OF UTILITIES.

BE IT FINALLY RESOLVED THAT THE CITY CLERK, WITHIN 30 DAYS HEREAFTER, SHALL FORWARD CERTIFIED COPIES OF THIS RESOLUTION TO THE INGHAM COUNTY REGISTER OF DEEDS FOR RECORDING, AND UPON RETURN, A COPY OF THE RECORDED RESOLUTION TO THE MICHIGAN DEPARTMENT OF CONSUMERS AND INDUSTRY SERVICES SUBDIVISION CONTROL UNIT, THE DEPARTMENT OF PUBLIC SERVICE, THE ASSESSOR'S OFFICE, AND THE PLANNING OFFICE.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

RESOLUTION #321  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-26-96, AURELIUS ROAD LANDFILL

WHEREAS, THE CITY OF LANSING AS OWNER OF A VACANT PARCEL OF LAND ON THE EAST SIDE OF AURELIUS ROAD BETWEEN JOLLY AND MILLER ROADS, DESIRES TO DEVELOP THIS PARCEL OF LAND WHICH CONTAINS APPROXIMATELY 140 ACRES; OF WHICH APPROXIMATELY 80 ACRES COVERS A PREEXISTING CLOSED LANDFILL SITE WITH A FIVE FOOT CLAY CAP, WITH THE REMAINING ACREAGE OCCUPIED BY A MATURE BEECH/MAPLE HARDWOOD FOREST, FLOODPLAIN, AND PORTIONS OF THE SYCAMORE CREEK; AND

WHEREAS, THE PUBLIC SERVICE DEPARTMENT PROPOSES TO UTILIZE THIS PROPERTY FOR RECREATIONAL DEVELOPMENT AND WOULD CAUSE THE SITE TO BE PREPARED FOR SUCH USES IN COMPLIANCE WITH STATE MDEQ REGULATIONS; AND

WHEREAS, FUNDS ARE AVAILABLE WITHIN THE CAPITAL PROJECTS FUND AND THE ENVIRONMENTAL BOND FUND FOR ENVIRONMENTAL REMEDIATION FOR SUCH PURPOSES; AND

WHEREAS, THE LANSING PLANNING BOARD HELD A PUBLIC HEARING ON FEBRUARY 4, 1997 AT WHICH A PRESENTATION WAS MADE BY REPRESENTATIVES OF CAMP DRESSER & MCKEE (ENVIRONMENTAL CONSULTANTS) REGARDING RECREATIONAL REUSE OF CLOSED LANDFILL SITES AND FOUR (4) PERSONS SPOKE IN SUPPORT OF THE PROJECT INCLUDING REPRESENTATIVES OF THE PUBLIC SERVICE DEPARTMENT, PARKS & RECREATION DEPARTMENT, THE STATE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE NEIGHBORING COTTONWOOD CAMPGROUND- AND

WHEREAS, THE LANSING PLANNING BOARD, BASED ON ITS REVIEW OF THE LOCATION, CHARACTER AND EXTENT OF THE PROPOSAL AND THE SITE, FOUND THAT:

1. APPROXIMATELY 1/2 OF THE SITE IS ACTUALLY UTILIZED AS A LANDFILL AREA,
2. THE SYCAMORE CREEK FRONTAGE OF THE PROPERTY PRESENTS A LONG TERM OPPORTUNITY FOR THE DEVELOPMENT OF THE RIVER TRAIL THROUGH THIS SITE,
3. THE COMPREHENSIVE PLAN DESIGNATES THIS PROPERTY FOR PARKS AND OPEN SPACE (EVEN THOUGH ITS ZONING DESIGNATION IS "IF" LIGHT INDUSTRIAL
4. THE PROPERTY IS CURRENTLY AN EYESORE WHICH IS COSTLY TO MAINTAIN. THE POTENTIAL FOR REDEVELOPMENT WOULD IMPROVE THE APPEARANCE OF THIS PROPERTY, REDUCE ITS NEGATIVE IMPACTS ON SURROUNDING PROPERTIES, ENHANCE THE ENVIRONMENTAL PROTECTION OF THE SITE, AND CREATE A PRODUCTIVE USE FOR THE PROPERTY;

AND

WHEREAS, THE PLANNING BOARD AT THEIR MEETING ON MARCH 4, 1997, UNANIMOUSLY (6-0) RECOMMENDED APPROVAL OF ACT-26-96 TO MARKET THE AURELIUS ROAD PROPERTY FOR DEVELOPMENT, WITH THE CONDITIONS THAT ANY PROPOSAL:

1. CONSIDER CURRENT DEMAND FOR SPECIFIC RECREATIONAL USES,
2. CONSIDER LAND USES WHICH WILL CAUSE NO HARM TO THE ENVIRONMENT,
3. COORDINATE WITH THE PARKS AND RECREATION DEPARTMENT ON THE ULTIMATE DESIGN OF THE RECREATIONAL ACTIVITIES ON THE SITE, AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING, ON MAY 5, 1997, REVIEWED THE REPORT OF THE PLANNING BOARD AND STAFF AND AUTHORIZED THE ADMINISTRATION TO SOLICIT SPECIFIC PROPOSALS FOR THE SITE; AND

WHEREAS, THE ADMINISTRATION, ON JUNE 3, 1997, PRESENTED THE COMMITTEE ON DEVELOPMENT AND PLANNING WITH A SPECIFIC PROPOSAL TO JOIN IN A COOPERATIVE EFFORT WITH INGHAM COUNTY TO DEVELOP TEN (10) SOCCER FIELDS, CONCESSION STANDS AND OTHER ASSOCIATED DEVELOPMENT IN THE FIRST PHASE WITH THE OPPORTUNITY TO CREATE ADDITIONAL RECREATIONAL ACTIVITIES ON OTHER PORTIONS OF THE SITE IN LATER PHASES; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS REVIEWED THE PLANNING BOARD RECOMMENDATION, AND THE ADMINISTRATION'S SUBSEQUENT SPECIFIC PROPOSAL FOR THE DEVELOPMENT OF TEN SOCCER FIELDS IN CONJUNCTION WITH INGHAM COUNTY AND CONCURS THEREIN;

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL HEREBY AUTHORIZES THE ADMINISTRATION TO NEGOTIATE AGREEMENTS WITH THE INGHAM COUNTY BOARD OF COMMISSIONERS TO JOINTLY AND COOPERATIVELY DEVELOP A TEN FIELD SOCCER COMPLEX AND ASSOCIATED DEVELOPMENT ON THE AURELIUS ROAD SITE LOCATED ON THE EAST SIDE OF AURELIUS ROAD BETWEEN MILLER AND JOLLY ROADS WITH THE UNDERSTANDING THAT REMEDIATION OF ANY PREEXISTING ENVIRONMENTAL CONDITIONS WILL BE THE RESPONSIBILITY OF THE CITY OF LANSING IN ACCORDANCE WITH MDEQ REGULATIONS.

BE IT FURTHER RESOLVED THE ADMINISTRATION, IN CONJUNCTION WITH INGHAM COUNTY STAFF, CONTACT THE SURROUNDING RESIDENTIAL NEIGHBORHOODS TO DISCUSS THE CONCEPT PLANS DURING THE DESIGN PHASE TO PROVIDE INFORMATION AND RECEIVE INPUT.

BE IT FINALLY RESOLVED THE PROPOSAL BE REFERRED TO THE PUBLIC SERVICE AND INTERGOVERNMENTAL AFFAIRS COMMITTEES OF THE CITY COUNCIL FOR REVIEW.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #322**

BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT III

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT II (RESOLUTION #155) ADOPTED BY THIS COUNCIL, THE CITY ASSESSOR HAS COMPLETED THE ASSESSMENT ROLL FOR CURB AND GUTTER, AND FURNISHED THE FOLLOWING INFORMATION:

PROJECT TITLE: DAVID STREET RECONSTRUCTION P.S. #17038.- VERMONT AVENUE TO NEW YORK AVENUE.

**PROPERTY BENEFITTED  
CURB AND GUTTER:**

ALL LANDS FRONTING ON DAVID STREET WEST OF VERMONT AVENUE.

**PROPERTY BENEFITTED  
SIDEWALK:**

PARCELS NO. 3301-10-128-241.

**ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:**

ASSESSMENT ROLL NO 336	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$1,492.88	\$14,900.55
SIDEWALK	\$450.00	\$862.50
OTHER COSTS	<u>\$99,468.84</u>	<u>\$0.00</u>
TOTAL COSTS	\$101,411.72	\$15,763.05

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, JUNE 23, 1997, AT 7:00 PM, IN THE COUNCIL CHAMBERS, TO REVIEW, PRIOR TO CONFIRMATION, SAID ASSESSMENT ROLL; AND

BE IT FURTHER RESOLVED THAT THE CITY CLERK AND THE PUBLIC SERVICE DIRECTOR ARE HEREBY REQUESTED TO GIVE DUE NOTICE OF THIS PUBLIC HEARING AS PROVIDED BY CHAPTER 1020, SECTION 1026.06(c)(1), OF THE CODE OF ORDINANCES BY PUBLISHING A NOTICE OF A PUBLIC HEARING IN A DAILY NEWSPAPER OF THE CITY, NOT MORE THAN TWENTY DAYS AND NOT LESS THAN TEN DAYS BEFORE SUCH PUBLIC HEARING. SAID NOTICE SHALL INCLUDE THE TIME AND PLACE OF THE HEARING; A DESCRIPTION OF THE SECTION OR AREA OF THE CITY DETERMINED BY COUNCIL ASSESSMENT DISTRICT AS CONTAINED IN THE SPECIAL WHERE THE SPECIAL ASSESSMENT ROLL IS ON FILE AND THAT ANY PERSON AGGRIEVED BY THE ASSESSMENTS AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL, OR THE NECESSITY OF THE IMPROVEMENT, MAY FILE A WRITTEN OBJECTION THERETO WHICH MUST BE DELIVERED TO THE CITY CLERK PRIOR TO THE CLOSE OF THE HEARING, OR THE PERSON MAY APPEAR AND PROTEST THE SAME AT THE PUBLIC HEARING IN PERSON OR BY HIS OR HER REPRESENTATIVE; THAT THE APPEARANCE AND PROTEST OR WRITTEN PROTEST IN THE MANNER DESCRIBED IS REQUIRED IF THE PERSON DESIRES TO APPEAL THE AMOUNT OF THE ASSESSMENT TO THE MICHIGAN TAX TRIBUNAL; AND THAT ANY APPEAL TO THE MICHIGAN TAX TRIBUNAL MUST BE TAKEN WITHIN THIRTY DAYS OF THE CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL,

PROVIDED A PROTEST WAS TIMELY MADE.

BE IT FINALLY RESOLVED, THAT PURSUANT TO THE REQUIREMENT OF 1962 PA 162, AS AMENDED, MCL 211.741, ET SEQ.; MSA 5.3534(1), ET SEQ. APPEARANCE AND PROTEST AT THE HEARING IN THE SPECIAL ASSESSMENT PROCEEDINGS IS REQUIRED IN ORDER TO APPEAL THE AMOUNT OF THE SPECIAL ASSESSMENT TO THE STATE TAX TRIBUNAL. AN OWNER OR PARTY IN INTEREST, OR HIS OR HER AGENT MAY APPEAR IN PERSON AT THE HEARING TO PROTEST THE SPECIAL ASSESSMENT, OR SHALL BE PERMITTED TO FILE HIS OR HER APPEARANCE OR PROTEST BY LETTER AND HIS OR HER PERSONAL APPEARANCE SHALL NOT BE REQUIRED.

I HEREBY CERTIFY THAT FUNDS ARE AVAILABLE FOR THE CITY OF LANSING'S SHARE OF SAID PROJECT IN ACCOUNTS AS FOLLOWS:

	ACCOUNT NUMBER	
CITY SHARE OF CURB	\$1,492.88	41093369097410043814
CITY SHARE OF SIDEWALK	\$450.00	41093369097410043814
CITY SHARE OF OTHER COST	\$45,644.34	41093369097410043814
CITY SHARE OF OTHER COST	\$53,824.50	59093361097300020100
ASSESSMENT ROLL # 336	\$15,763.05	40493360197410012072

CHARLES S. REMENAR  
DEPUTY CITY CONTROLLER

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

ABSENT: 1

#### RESOLUTION #323

BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT III

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT II (RESOLUTION #155) ADOPTED BY THIS COUNCIL, THE CITY ASSESSOR HAS COMPLETED THE ASSESSMENT ROLL FOR CURB AND GUTTER, AND FURNISHED THE FOLLOWING INFORMATION:

#### PROJECT TITLE:

DORIS STREET RECONSTRUCTION P.S. #76034.- SCHAFER ROAD TO HILLIARD ROAD.

#### PROPERTY BENEFITTED CURB AND GUTTER:

ALL LANDS FRONTING ON DORIS STREET.

#### PROPERTY BENEFITTED STORM SEWER:

ALL LANDS FRONTING ON DORIS STREET.

ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 332	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$421.29	\$9,529.52
STORM SEWER	\$1,702.23	\$27,956.02
OTHER COSTS	<u>\$31,949.69</u>	<u>\$0.00</u>
TOTAL COSTS	\$34,073.21	\$37,485.54

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, JUNE 23, 1997, AT 7:00 PM, IN THE COUNCIL CHAMBERS, TO REVIEW, PRIOR TO CONFIRMATION, SAID ASSESSMENT ROLL; AND

BE IT FURTHER RESOLVED THAT THE CITY CLERK AND THE PUBLIC SERVICE DIRECTOR ARE HEREBY REQUESTED TO GIVE DUE NOTICE OF THIS PUBLIC HEARING AS PROVIDED BY CHAPTER 1020, SECTION 1026.06(C)(1), OF THE CODE OF ORDINANCES BY PUBLISHING A NOTICE OF A PUBLIC HEARING IN A DAILY NEWSPAPER OF THE CITY, NOT MORE THAN TWENTY DAYS AND NOT LESS THAN TEN DAYS BEFORE SUCH PUBLIC HEARING. SAID NOTICE SHALL INCLUDE THE TIME AND PLACE OF THE HEARING; A DESCRIPTION OF THE SECTION OR AREA OF THE CITY DETERMINED BY COUNCIL TO BE WITHIN THE ASSESSMENT DISTRICT AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL; WHERE THE SPECIAL ASSESSMENT ROLL IS ON FILE AND MAY BE EXAMINED; THAT ANY PERSON AGGRIEVED BY THE ASSESSMENTS AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL, OR THE NECESSITY OF THE IMPROVEMENT, MAY FILE A WRITTEN OBJECTION THERETO WHICH MUST BE DELIVERED TO THE CITY CLERK PRIOR TO THE CLOSE OF THE HEARING, OR THE PERSON MAY APPEAR AND PROTEST THE SAME AT THE PUBLIC HEARING IN PERSON OR BY HIS OR HER REPRESENTATIVE; THAT THE APPEARANCE AND PROTEST OR WRITTEN PROTEST IN THE MANNER DESCRIBED IS REQUIRED IF THE PERSON

DESIRES TO APPEAL THE AMOUNT OF THE ASSESSMENT TO THE MICHIGAN TAX TRIBUNAL; AND THAT ANY APPEAL TO THE MICHIGAN TAX TRIBUNAL MUST BE TAKEN WITHIN THIRTY DAYS OF THE CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, PROVIDED A PROTEST WAS TIMELY MADE.

BE IT FINALLY RESOLVED, THAT PURSUANT TO THE REQUIREMENT OF 1962 PA 162, AS AMENDED, MCL 211.741, ET SEQ.; MSA 5.3534(L), ET SEQ.,

APPEARANCE AND PROTEST AT THE HEARING IN THE SPECIAL ASSESSMENT PROCEEDINGS IS REQUIRED IN ORDER TO APPEAL THE AMOUNT OF THE SPECIAL ASSESSMENT TO THE STATE TAX TRIBUNAL. AN OWNER OR PARTY IN INTEREST, OR HIS OR HER AGENT MAY APPEAR IN PERSON AT THE HEARING TO PROTEST THE SPECIAL ASSESSMENT, OR SHALL BE PERMITTED TO FILE HIS OR HER APPEARANCE OR PROTEST BY LETTER AND HIS OR HER PERSONAL APPEARANCE SHALL NOT BE REQUIRED.

I HEREBY CERTIFY THAT FUNDS ARE AVAILABLE FOR THE CITY OF LANSING'S SHARE OF SAID PROJECT IN ACCOUNTS AS FOLLOWS:

		ACCOUNT NUMBER
CITY SHARE OF C & G	\$421.29	410 93369097410043814
CITY SHARE OF STORM SEWER	\$1,702.23	410 93369097410043814
CITY SHARE OF OTHER COST	\$31,949.69	410 93369097410043814
ASSESSMENT ROLL # 332	\$37,485.54	404 93360197410012068

CHARLES S. REMENAR  
DEPUTY CITY CONTROLLER

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

#### RESOLUTION #324

BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT III.

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT II (RESOLUTION #155) ADOPTED BY THIS COUNCIL, THE CITY ASSESSOR HAS COMPLETED THE ASSESSMENT ROLL FOR CURB AND GUTTER, AND FURNISHED THE FOLLOWING INFORMATION:

#### PROJECT TITLE:

MEL AVENUE RECONSTRUCTION P.S. #75118.- MANOR DRIVE TO WASHINGTON AVENUE.

#### PROPERTY BENEFITTED CURB AND GUTTER:

ALL LANDS FRONTING ON MEL AVENUE FROM 160 FEET EAST OF MANOR DRIVE TO WASHINGTON AVENUE.

PROPERTY BENEFITTED

#### STORM SEWER:

ALL LANDS FRONTING ON MEL AVENUE FROM 160 FEET EAST OF MANOR DRIVE TO 160 FEET WEST OF WASHINGTON AVENUE.

#### PROPERTY BENEFITTED SIDEWALK:

ALL LANDS FRONTING ON MEL AVENUE FROM 160 FEET EAST OF MANOR DRIVE TO WASHINGTON AVENUE.

#### ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO331	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$26.18	\$30,593.38
STORM SEWER	\$2,272.15	\$58,459.75
SIDEWALK	\$80.92	\$40,706.36
OTHER COSTS	<u>\$86,168.19</u>	<u>\$0.00</u>
TOTAL COSTS	\$88,547.43	\$1290,759.48

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, JUNE 23, 1997, AT 7:00 PM, IN THE COUNCIL CHAMBERS, TO REVIEW, PRIOR TO CONFIRMATION, SAID ASSESSMENT ROLL; AND

BE IT FURTHER RESOLVED THAT THE CITY CLERK AND THE PUBLIC SERVICE DIRECTOR ARE HEREBY REQUESTED TO GIVE DUE NOTICE OF THIS PUBLIC HEARING AS PROVIDED BY CHAPTER 1020, SECTION 1026.06(C)(1), OF THE CODE OF ORDINANCES BY PUBLISHING A NOTICE OF A PUBLIC HEARING IN A DAILY NEWSPAPER OF THE CITY, NOT MORE THAN TWENTY DAYS AND NOT LESS THAN TEN DAYS BEFORE SUCH PUBLIC HEARING. SAID NOTICE SHALL INCLUDE THE TIME AND PLACE OF THE HEARING; A DESCRIPTION OF THE SECTION OR AREA OF THE CITY DETERMINED BY COUNCIL TO BE WITHIN THE ASSESSMENT DISTRICT AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL; WHERE THE SPECIAL ASSESSMENT ROLL IS ON FILE AND MAY BE EXAMINED; THAT ANY PERSON AGGRIEVED BY THE ASSESSMENTS AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL, OR THE NECESSITY OF THE IMPROVEMENT, MAY FILE A WRITTEN OBJECTION THERETO WHICH MUST BE DELIVERED TO THE CITY CLERK PRIOR TO THE CLOSE OF THE HEARING, OR THE PERSON MAY APPEAR AND PROTEST THE SAME AT THE PUBLIC HEARING IN PERSON OR BY HIS OR HER REPRESENTATIVE; THAT THE APPEARANCE AND PROTEST OR WRITTEN PROTEST IN THE MANNER DESCRIBED IS REQUIRED IF THE PERSON DESIRES TO APPEAL THE AMOUNT OF THE ASSESSMENT TO THE MICHIGAN TAX TRIBUNAL; AND THAT ANY APPEAL TO THE MICHIGAN TAX TRIBUNAL MUST BE TAKEN WITHIN THIRTY DAYS OF THE CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, PROVIDED A PROTEST WAS TIMELY MADE.

BE IT FINALLY RESOLVED, THAT PURSUANT TO THE REQUIREMENT OF 1962 PA 162, AS AMENDED, MCL 211.741, ET SEQ.; MSA 5.3534(1), ET SEQ., APPEARANCE AND PROTEST AT THE HEARING IN THE SPECIAL

ASSESSMENT PROCEEDINGS IS REQUIRED IN ORDER TO APPEAL THE AMOUNT OF THE SPECIAL ASSESSMENT TO THE STATE TAX TRIBUNAL. AN OWNER OR PARTY IN INTEREST, OR HIS OR HER AGENT MAY APPEAR IN PERSON AT THE HEARING TO PROTEST THE SPECIAL ASSESSMENT, OR SHALL BE PERMITTED TO FILE HIS OR HER APPEARANCE OR PROTEST BY LETTER AND HIS OR HER PERSONAL APPEARANCE SHALL NOT BE REQUIRED.

I HEREBY CERTIFY THAT FUNDS ARE AVAILABLE FOR THE CITY OF LANSING'S SHARE OF SAID PROJECT IN ACCOUNTS AS FOLLOWS:

	ACCOUNT NUMBER	
CITY SHARE OF C & G	\$26.18	41093369097410043814
CITY SHARE OF STORM SEWER	\$2,272.15	41093369097410043814
CITY SHARE OF SIDEWALK	\$80.92	41093369097410043814
CITY SHARE OF OTHER COST	\$86,168.19	41093369097410043814
ASSESSMENT ROLL # 331	\$129,759.48	40493360197410012067

CHARLES S. REMENAR  
DEPUTY CITY CONTROLLER

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

#### RESOLUTION #325

BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT III

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT II (RESOLUTION #155) ADOPTED BY THIS COUNCIL, THE CITY ASSESSOR HAS COMPLETED THE ASSESSMENT ROLL FOR CURB AND GUTTER, AND FURNISHED THE FOLLOWING INFORMATION:

#### PROJECT TITLE:

SCHAFER ROAD RECONSTRUCTION P.S. #76129.-  
NORTHROP STREET TO MILLER ROAD.

#### PROPERTY BENEFITTED CURB AND GUTTER:

ALL LANDS FRONTING ON SCHAFER ROAD.

#### PROPERTY BENEFITTED STORM SEWER:

ALL LANDS FRONTING ON SCHAFER ROAD.

ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO 334	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$1,558.67	\$66,072.13
STORM SEWER	\$12,866.54	\$89,371.86
OTHER COSTS	<u>\$167,439.25</u>	<u>\$0.00</u>
TOTAL COSTS	\$181,864.47	\$155,443.99

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, JUNE 23, 1997, AT 7:00 PM, IN THE COUNCIL CHAMBERS, TO REVIEW, PRIOR TO CONFIRMATION, SAID ASSESSMENT ROLL; AND

BE IT FURTHER RESOLVED THAT THE CITY CLERK AND THE PUBLIC SERVICE DIRECTOR ARE HEREBY REQUESTED TO GIVE DUE NOTICE OF THIS PUBLIC HEARING AS PROVIDED BY CHAPTER 1020, SECTION 1026.06(c)(1), OF THE CODE OF ORDINANCES BY PUBLISHING A NOTICE OF A PUBLIC HEARING IN A DAILY NEWSPAPER OF THE CITY, NOT MORE THAN TWENTY DAYS AND NOT LESS THAN TEN DAYS BEFORE SUCH PUBLIC HEARING. SAID NOTICE SHALL INCLUDE THE TIME AND PLACE OF THE HEARING; A DESCRIPTION OF THE SECTION OR AREA OF THE CITY DETERMINED BY COUNCIL TO BE WITHIN THE ASSESSMENT DISTRICT AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL; WHERE THE SPECIAL ASSESSMENT ROLL IS ON FILE AND MAY BE EXAMINED; THAT ANY PERSON AGGRIEVED BY THE ASSESSMENTS AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL, OR THE NECESSITY OF THE IMPROVEMENT, MAY FILE A WRITTEN OBJECTION THERETO WHICH MUST BE DELIVERED TO THE CITY CLERK PRIOR TO THE CLOSE OF THE HEARING, OR THE PERSON MAY APPEAR AND PROTEST THE SAME AT THE PUBLIC HEARING IN PERSON OR BY HIS OR HER REPRESENTATIVE; THAT THE APPEARANCE AND PROTEST OR WRITTEN PROTEST IN THE MANNER DESCRIBED IS REQUIRED IF THE PERSON DESIRES TO APPEAL THE AMOUNT OF THE ASSESSMENT TO THE MICHIGAN TAX TRIBUNAL; AND THAT ANY APPEAL TO THE MICHIGAN TAX TRIBUNAL MUST BE TAKEN WITHIN THIRTY DAYS OF THE CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, PROVIDED A PROTEST WAS TIMELY MADE.

BE IT FINALLY RESOLVED, THAT PURSUANT TO THE REQUIREMENT OF 1962 PA 162, AS AMENDED, MCL 211.741, ET SEQ.; MSA 5.3534(1), ET SEQ., APPEARANCE AND PROTEST AT THE HEARING IN THE SPECIAL ASSESSMENT PROCEEDINGS IS REQUIRED IN ORDER TO APPEAL THE AMOUNT OF THE SPECIAL ASSESSMENT TO THE STATE TAX TRIBUNAL. AN OWNER OR PARTY IN INTEREST, OR HIS OR HER AGENT MAY APPEAR IN PERSON AT THE HEARING TO PROTEST THE SPECIAL ASSESSMENT, OR SHALL BE PERMITTED TO FILE HIS OR HER APPEARANCE OR PROTEST BY



LETTER AND HIS OR HER PERSONAL APPEARANCE SHALL NOT BE REQUIRED.

I HEREBY CERTIFY THAT FUNDS ARE AVAILABLE FOR THE CITY OF LANSING'S SHARE OF SAID PROJECT IN ACCOUNTS AS FOLLOWS:

	<u>ACCOUNT NUMBER</u>	
CITY SHARE OF C & G	\$1,558.67	41093369097410043814
CITY SHARE OF STORM SEWER	\$12,866.54	41093369097410043814
CITY SHARE OF OTHER COST	\$167,439.25	41093369097410043814
ASSESSMENT ROLL # 334	\$155,443.99	40493360197410012070

CHARLES S. REMENAR  
DEPUTY CITY CONTROLLER

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

**RESOLUTION #326**

BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT III

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT II (RESOLUTION #155) ADOPTED BY THIS COUNCIL, THE CITY ASSESSOR HAS COMPLETED THE ASSESSMENT ROLL FOR CURB AND GUTTER, AND FURNISHED THE FOLLOWING INFORMATION:

PROJECT TITLE:

WIELAND STREET RECONSTRUCTION P.S. #17040.-  
VERMONT AVENUE TO MASSACHUSETTS AVENUE.

PROPERTY BENEFITTED

CURB AND GUTTER:

ALL LANDS FRONTING ON WIELAND STREET.

PROPERTY BENEFITTED

SIDEWALK:

PARCELS NO. 3301-04-381-121 & 3301-04-383-002.

PROPERTY BENEFITTED

STORM SEWER:

ALL LANDS FRONTING ON WIELAND STREET.

ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO 333	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$447.89	\$7,083.40
STORM SEWER	\$0.00	\$3,096.00
SIDEWALK	\$735.50	\$1,255.42
OTHER COSTS	<u>\$19,199.58</u>	<u>\$0.00</u>
TOTAL COSTS	\$20,382.92	\$11,434.82

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, JUNE 23, 1997, AT 7:00 PM, IN THE COUNCIL CHAMBERS, TO REVIEW, PRIOR TO CONFIRMATION, SAID ASSESSMENT ROLL; AND

BE IT FURTHER RESOLVED THAT THE CITY CLERK AND THE PUBLIC SERVICE DIRECTOR ARE HEREBY REQUESTED TO GIVE DUE NOTICE OF THIS PUBLIC HEARING AS PROVIDED BY CHAPTER 1020, SECTION 1026.06(C)(1), OF THE CODE OF ORDINANCES BY PUBLISHING A NOTICE OF A PUBLIC HEARING IN A DAILY NEWSPAPER OF THE CITY, NOT MORE THAN TWENTY DAYS AND NOT LESS THAN TEN DAYS BEFORE SUCH PUBLIC HEARING. SAID NOTICE SHALL INCLUDE THE TIME AND PLACE OF THE HEARING; A DESCRIPTION OF THE SECTION OR AREA OF THE CITY DETERMINED BY COUNCIL TO BE WITHIN THE ASSESSMENT DISTRICT AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL; WHERE THE SPECIAL ASSESSMENT ROLL IS ON FILE AND MAY BE EXAMINED; THAT ANY PERSON AGGRIEVED BY THE ASSESSMENTS AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL, OR THE NECESSITY OF THE IMPROVEMENT, MAY FILE A WRITTEN OBJECTION THERETO WHICH MUST BE DELIVERED TO THE CITY CLERK PRIOR TO THE CLOSE OF THE HEARING, OR THE PERSON MAY APPEAR AND PROTEST THE SAME AT THE PUBLIC HEARING IN PERSON OR BY HIS OR HER REPRESENTATIVE; THAT THE APPEARANCE AND PROTEST OR WRITTEN PROTEST IN THE MANNER DESCRIBED IS REQUIRED IF THE PERSON DESIRES TO APPEAL THE AMOUNT OF THE ASSESSMENT TO THE MICHIGAN TAX TRIBUNAL; AND THAT ANY APPEAL TO THE MICHIGAN TAX TRIBUNAL MUST BE TAKEN WITHIN THIRTY DAYS OF THE CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, PROVIDED A PROTEST WAS TIMELY MADE.

BE IT FINALLY RESOLVED, THAT PURSUANT TO THE REQUIREMENT OF 1962 PA 162, AS AMENDED, MCL 211.741, ET SEQ.; MSA 5.3534(1), ET SEQ., APPEARANCE AND PROTEST AT THE HEARING IN THE SPECIAL ASSESSMENT PROCEEDINGS IS REQUIRED IN ORDER TO APPEAL THE AMOUNT OF THE SPECIAL ASSESSMENT TO THE STATE TAX TRIBUNAL. AN OWNER OR PARTY IN INTEREST, OR HIS OR HER AGENT MAY APPEAR IN PERSON AT THE HEARING TO PROTEST THE SPECIAL ASSESSMENT, OR SHALL BE PERMITTED TO FILE HIS OR HER APPEARANCE OR PROTEST BY

LETTER AND HIS OR HER PERSONAL APPEARANCE SHALL NOT BE REQUIRED.

I HEREBY CERTIFY THAT FUNDS ARE AVAILABLE FOR THE CITY OF LANSING'S SHARE OF SAID PROJECT IN ACCOUNTS AS FOLLOWS:

		ACCOUNT NUMBER
CITY SHARE OF CURB	\$447.84	41093369097410043814
CITY SHARE OF SIDEWALK	\$735.50	41093369097410043814
CITY SHARE OF OTHER COST	\$19,199.58	41093369097410043814
ASSESSMENT ROLL # 333	\$11,434.82	40493360197410012069

CHARLES S. REMENAR  
DEPUTY CITY CONTROLLER

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

**RESOLUTION #327**

BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BY RESOLUTION No. 287 OF MAY 27, 1997, THE COUNCIL ESTABLISHED A FUNDED ACCOUNT TO PROVIDE FOR CONTRACTUAL SERVICES OF A CONSULTANT TO REVIEW THE CURRENT CSO PLAN; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES RECEIVED A PRESENTATION FROM CAMP, DRESSER AND MCKEE AND ASSOCIATED FIRMS OF MICHIGAN INFRASTRUCTURE FINANCE AND PATSY S. CLARK & ASSOCIATES REGARDING THE PROVIDING OF CONSULTANT SERVICES SUBJECT TO THE ESTABLISHMENT OF THE PROJECT PLAN, ITS SCOPE OF SERVICES AND CONCEPTS FOR REVIEW; AND

WHEREAS, THE COMMITTEE APPROVED THE SELECTION OF CAMP, DRESSER AND MCKEE FIRM WITH PATSY S. CLARK & ASSOCIATES AS ITS AFFILIATE AS THE CONSULTANT AND APPOINTMENT OF GREG KOESSEL, INTERNAL AUDITOR, AND DOUG RUBLEY, INTERIM PUBLIC SERVICE DIRECTOR, AS CO-MANAGERS OF THE CONSULTANT CONTRACT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE SELECTION OF CAMP, DRESSER AND MCKEE AND ASSOCIATED FIRMS OF MICHIGAN INFRASTRUCTURE FINANCE AND PATSY S. CLARK & ASSOCIATES AS THE CONSULTANT AND THE APPOINTMENT OF

GREG KOESSEL AND DOUG RUBLEY AS CO-MANAGERS OF THE CONSULTANT CONTRACT.

BE IT FINALLY RESOLVED THAT THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO EXECUTE THE CONSULTANT CONTRACT FOR A SUM NOT TO EXCEED ~~\$175,000.00~~ \$275,000.00, SUBJECT TO ITS PRIOR APPROVAL AS TO CONTENT BY MR. KOESSEL AND MR. RUBLEY AND APPROVED AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LEEMAN

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER NOVAK TO AMEND THE RESOLUTION IN THE FINAL PARAGRAPH TO STATE THAT THE AMOUNT OF THE CONSULTANT CONTRACT SHALL BE IN A SUM NOT TO EXCEED \$275,000.00, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

**RESOLUTION #328**

BY THE PUBLIC SERVICES COMMITTEE  
RESOLVED, BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS; CITY OF LANSING PREPARED A COMBINED SEWER OVERFLOW PROJECT PLAN IN APRIL 1991 FOR A STUDY AREA WHICH INCLUDED THE CITY OF LANSING SEWER SERVICE AREA; AND

WHEREAS; BY RESOLUTION (#261) DATED APRIL 30, 1991, THE LANSING CITY COUNCIL ADOPTED ALTERNATIVE ONE: COMBINED SEWER SEPARATION, AS SELECTED ALTERNATIVE TO BE CONSTRUCTED OVER A PERIOD OF 30 YEARS; AND

WHEREAS; THE OVERALL SEWER SEPARATION PROJECT ADOPTED IN THE ORIGINAL PROJECT PLAN REMAINS UNCHANGED; AND

WHEREAS; THE CITY NOW PROPOSES TO AMEND THE CURRENT PROJECT PLAN AS SHOWN IN THE DOCUMENT OF FILE WITH THE CITY CLERK ENTITLED "CITY OF LANSING, MICHIGAN COMBINED SEWER OVERFLOW CONTROL PROJECT PLAN AMENDMENT No. 111; AND

WHEREAS; THE CITY COUNCIL WOULD LIKE TO PROVIDE AN ADDITIONAL OPPORTUNITY TO RECEIVE PUBLIC COMMENT ON THE PROPOSED AMENDMENT TO THE PROJECT PLAN.

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, ~~JUNE 16~~ JUNE 23, 1997, AT 7:00 P.M., IN THE CITY COUNCIL CHAMBERS, TENTH FLOOR LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN.

BY COUNCILMEMBER LEEMAN

TO AMEND THE RESOLUTION BY CHANGING THE DATE OF THE PUBLIC HEARING TO MONDAY, JUNE 23 1997, AND TO

PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

# **RESOLUTION #329**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY COUNCIL RECOGNIZES THAT THE CITY'S RETIREMENT SYSTEMS MANAGE OVER THREE HUNDRED MILLION (\$300,000,000) DOLLARS IN ASSETS; AND

WHEREAS, THESE ASSETS ARE MANAGED BY A BOARD OF TRUSTEES FOR EACH SYSTEM UTILIZING FINANCIAL INSTITUTIONS AND INVESTMENT ADVISORS; AND

WHEREAS, THE COUNCIL RECOGNIZES THAT MANY SOUND AND REPUTABLE FINANCIAL INSTITUTIONS AND INVESTMENT MANAGERS ARE LOCATED WITHIN THE CITY OF LANSING; AND

WHEREAS, THE COUNCIL DESIRES THAT, TO THE EXTENT LEGALLY PERMISSIBLE AND WITHIN THE SOUND AND PRUDENT DISCRETION OF THE BOARDS OF TRUSTEES OF THE RETIREMENT SYSTEMS, AT LEAST TEN (10%) PERCENT OF THE RETIREMENT SYSTEMS' ASSETS BE INVESTED LOCALLY SO AS TO SPUR ECONOMIC GROWTH;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL RECOMMENDS TO THE BOARDS OF TRUSTEES OF THE GENERAL EMPLOYEES RETIREMENT SYSTEM AND THE POLICE AND FIRE RETIREMENT SYSTEM THAT TEN (10%) PERCENT OF THEIR SYSTEM ASSETS BE INVESTED LOCALLY WITHIN THE CITY OF LANSING; AND

BE IT FURTHER RESOLVED THAT SUCH INVESTING ONLY BE DONE IF IN ACCORDANCE WITH THE TRUSTEES' FIDUCIARY RESPONSIBILITIES TO THE SYSTEMS AND IN CONFORMANCE WITH STATE AND FEDERAL PENSION INVESTMENT LAW.

BY COUNCILMEMBER JONES

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

BY COUNCILMEMBER ALLEN

TO AMEND THE RESOLUTION BY ADDING THE FOLLOWING LANGUAGE TO THE END OF THE NOW, THEREFORE BE IT RESOLVED PARAGRAPH:

"IF THE LOCAL INSTITUTION CAN MEET OR EXCEED THE RATE OF RETURN FROM OTHER FINANCIAL INSTITUTIONS"

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 1 (COUNCILMEMBER ALLEN ASSENTING)

NAYS: 6

ABSENT: 1

THE VOTE ON THE MAIN MOTION CARRIED UNANIMOUSLY

# **RESOLUTION #330**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$99,000	FIRE SUPPRESSION-EQUIPMENT RENTAL 101-343520-745200-0	OPERATING TRANSFER-410 FUND 101-966000-991410-0
\$99,000	ESTIMATED REVENUE-INFRASTRUCTURE FUND 410-0-170001-0	FIRE APPARATUS REPLACEMENT 410-933590-977000-43832

(ANNUAL OPERATING TRANSFER OF REPLACEMENT APPARATUS FUNDS BUDGETED IN THE FIRE DEPARTMENT. RESERVE REPRESENTS 10% OF COST OF LADDER TRUCK, PUMPER, AND TWO AMBULANCES ACQUIRED SINCE INCEPTION OF SET ASIDE POLICY. REVENUE DETAIL ACCOUNT 410-696101-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,668	EST REV-GENERAL FUND 101-0-675021-0	FIRE DEPT-CONTROL 101-343501-992200-0
\$1,668	FIRE DEPT-CONTROL 101-343501-992200-0	DONATIONS 101-343501-741880-0

(DONATIONS FOR FIRE DEPARTMENT "SMOKE HOUSE" TO BE USED IN SCHOOL PROGRAMS AND FIRE SAFETY TRAINING. DONATIONS FROM AAA INSURANCE (\$500), J. COULEY (\$28), FIRST OF AMERICA (\$150), IAAF (\$790), AND CONTINENTAL CABLEVISION (\$200). REVENUE DETAIL ACCOUNT 101-675021-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$7,000	PARKS-POTTER PARK ZOO-WAGES HOURLY 509-783835-706000-0	
\$2,000		EQUIPMENT MAINTENANCE 509-783835-746200-0
\$5,000		MISC. & OPER. EXPENSES 509-783835-741000-0

(HIGHER THAN ANTICIPATED EQUIPMENT REPAIRS AT OAK PARK GARAGE. REPAIRS TO ANIMAL EXHIBITS AND SHRUBS DUE TO HARSH WINTER. ADDITIONAL COSTS FOR WINTER SALTING THROUGH PUBLIC SERVICE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$560.38	EST REV-GENERAL FUND 101-0-170001-0	POLICE DEPT-CONTROL 101- 343201-992200-0
\$560.38	POLICE DEPT-CONTROL 101-343201-992200-0	DONATIONS-D.A.R.E 101- 343201-741879-0

(PROCEEDS FROM T-SHIRT SALES (\$60.38), AND FROM MID-MICHIGAN MOTORCYCLISTS CHAPTER OF THE HARLEY OWNERS GROUP (HOG) (\$500), FOR D.A.R.E. REVENUE DETAIL ACCOUNT 101-0-67501-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$33,000	EST REV-GENERAL FUND 101-0-170001-0	DIST COURT EXPEND. 101-132200-992200-0
\$33,000	EST REV-DISTRICT COURT 760-0-170001-0	
\$30,000		OPERATIONS-COLLECTION FEES 760-132201-743100-0
\$ 3,000		PROBATION-PROFESSIONAL SERVICES 760-132210- 743000-0

INCREASED COLLECTIONS ON PARKING VIOLATIONS RESULTING IN INCREASED PAYMENT TO VENDOR (QUADTRAN). INCREASED VOLUME OF CASES REQUIRING ALCOHOL ASSESSMENT. REVENUE DETAIL ACCOUNTS, 101-666100 (DISTRICT COURT REVENUES), 760-0-666150-0 (PROBATION OVERSIGHT FEES), 760-0-666200 (PARKING COLLECTIONS.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #331

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL FOR  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING PARKS AND RECREATION DEPARTMENT HAS BEEN AWARDED A GRANT BY THE TRUSTEES OF THE CAPITAL REGION COMMUNITY FOUNDATION FROM THE LANSING FUND IN THE SUM OF \$1,777, AND

WHEREAS, THE FOUNDATION STIPULATES:

- ▶ THE GRANT IS TO BE USED SOLELY FOR THE IMPLEMENTATION OF THE 1997 CHILDREN'S LUGNUT CLINICS AND FAMILY NIGHT.
- ▶ THE CITY OF LANSING WILL BE HELD ACCOUNTABLE FOR ALL FINANCIAL EXPENDITURES MADE FOR THIS GRANT. THE PROGRAM EVALUATION FORM WITH FINANCIAL REPORT SHALL BE FILLED OUT AND RETURNED TO THE FOUNDATION

AT THE COMPLETION OF THE GRANT EXPENDITURES OR ONE YEAR FROM THE DATE OF GRANT PAYMENT, WHICHEVER IS SOONER.

- ▶ ANY REFERENCE TO THIS GRANT WILL IDENTIFY THE CAPITAL REGION COMMUNITY FOUNDATION AS THE GRANTOR AND THAT COPIES OF PRESS RELEASES ANNOUNCING THE AWARD AND ARTICLES RELATING TO THIS PROGRAM WILL BE FORWARDED TO THE FOUNDATION.
- ▶ ANY UNEXPENDED FUNDS SHALL BE RETURNED TO THE FOUNDATION.

NOW, THEREFORE, BE IT RESOLVED THE CITY OF LANSING AUTHORIZES THE ACCEPTANCE OF THE \$1,777 1997 GRANT FROM THE CAPITAL REGION COMMUNITY FOUNDATION LANSING FUND, AND

BE IT FURTHER RESOLVED THAT THE MAYOR BE AUTHORIZED TO PLACE THIS FUNDING IN AN APPROPRIATE EXPENDITURE ACCOUNT FOR ADMINISTRATION OF THIS GRANT UPON AWARD, AND

BE IT FURTHER RESOLVED THAT ANY UNEXPENDED GRANT FUNDS FROM FY 97 BE FORWARDED TO FY 98, AND

BE IT FINALLY RESOLVED THAT ANY ACCUMULATED UNEXPENDED GRANT FUNDS SHALL BE RETURNED TO THE FOUNDATION AT THE COMPLETION OF THE GRANT EXPENDITURES OR ONE YEAR FROM THE DATE OF GRANT PAYMENT, WHICHEVER IS SOONER.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #332

BY THE COMMITTEE OF WAYS & MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY'S ("AUTHORITY") BOARD OF COMMISSIONERS RECOMMENDS THIS FIRST AMENDMENT ("FIRST AMENDMENT") TO THE AGREEMENT FOR OPERATING DOWNTOWN FACILITIES ("OPERATING AGREEMENT"), DATED OCTOBER 7, 1996, BY AND BETWEEN THE CITY OF LANSING ("CITY") AND THE AUTHORITY;

WHEREAS, THE AUTHORITY RECOMMENDS AN "EVENT DEVELOPMENT FUND" WHICH WILL MAKE AVAILABLE THOSE NET PROCEEDS FROM ALL CITY EVENTS WHICH HAVE OCCURRED AT OLDSMOBILE PARK, CAPPED AT \$80,000,000, TO ALLOW FOR THE DEVELOPMENT OF SPECIAL EVENT PROGRAMMING TO MAXIMIZE THE DIVERSIFIED MULTI-PURPOSE UTILIZATION OF THE STADIUM, IN ORDER TO STIMULATE ECONOMIC DEVELOPMENT AND TO FURTHER ESTABLISH DOWNTOWN LANSING AS A CONSUMER DESTINATION;

WHEREAS, THE AUTHORITY RECOMMENDS AND REQUESTS AN OPERATING TRANSFER FROM THE STADIUM FUND TO THE AUTHORITY IN THE AMOUNT OF \$53,330.00;

WHEREAS, THE CITY CONCURS WITH THIS RECOMMENDATION AND REQUEST AND;

NOW THEREFORE, BE IT RESOLVED BY AND BETWEEN THE CITY AND AUTHORITY THAT PARAGRAPH 5D OF THE OPERATING AGREEMENT BE AMENDED IN ITS ENTIRETY TO READ AS FOLLOWS:

"D. OTHER NET REVENUE RELATED TO NON-BASEBALL, NON-TMO EVENTS THAT ARE HELD AT OLDSMOBILE PARK SHALL BE RECEIVED BY THE AUTHORITY AND PASSED THROUGH TO THE CITY IN FISCAL YEAR 1996-97. AUTHORITY MAY ESTABLISH AN "EVENT DEVELOPMENT FUND" FROM SUCH NON-BASEBALL, NON-TMO EVENT REVENUE WHICH THE CITY HAS RECEIVED SINCE APRIL 1, 1996, AND FROM FUTURE NON-BASEBALL, NON-TMO EVENT REVENUE PRIOR TO PASSING SUCH REVENUE THROUGH TO THE CITY; PROVIDED, HOWEVER, THAT THE "EVENT DEVELOPMENT FUND ("FUND") SHALL NOT EXCEED THE AMOUNT OF \$80,000.00 AT ANY TIME; PROVIDED FURTHER, THAT AMOUNTS EXPENDED FROM THE FUND SHALL BE CONSIDERED AN EXPENSE OF THE PARTICULAR CITY EVENT FOR WHICH THEY ARE UTILIZED; AND, FURTHER, TO THE EXTENT REVENUES FROM THE PARTICULAR CITY EVENT ARE AVAILABLE, SUCH AMOUNTS EXPENDED FROM THE FUND SHALL BE REPLACED FROM SUCH REVENUES ONLY. THE AUTHORITY SHALL DEVELOP POLICIES AND PROCEDURES RELATED TO THE UTILIZATION OF THE FUND AND SHALL MONITOR THE FUND WITH DUE REGARD TO ANY FINANCIAL RISK ASSOCIATED WITH FUND EXPENDITURES.";

BE IT FURTHER RESOLVED, ALL REMAINING TERMS, CONDITIONS AND COVENANTS OF THE OPERATING AGREEMENT NOT AMENDED HEREIN SHALL REMAIN IN FULL FORCE AND EFFECT; AND

BE IT FINALLY RESOLVED, THAT COUNCIL AUTHORIZES THE OPERATING TRANSFER FROM THE STADIUM FUND TO THE AUTHORITY IN THE AMOUNT OF \$53,330.00.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #333**  
BY THE COMMITTEE ON  
DEVELOPMENT & PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
RESOLUTION APPROVING PROJECT PLAN  
AND ISSUANCE OF BONDS  
(QUALITY DAIRY CO. PROJECT)

WHEREAS, PURSUANT TO, AND IN SATISFACTION OF, THE

PUBLIC HEARING REQUIREMENTS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), AND SECTION 17 OF THE ECONOMIC DEVELOPMENT CORPORATIONS ACT, ACT NO. 338, PUBLIC ACTS OF MICHIGAN, 1974, AS AMENDED (THE "ACT"), THIS CITY COUNCIL HELD A PUBLIC HEARING ON THE 2ND DAY OF JUNE, 1997, IN THE CITY COUNCIL CHAMBERS, 10TH FLOOR, CITY HALL, LANSING, MICHIGAN, AFTER NOTICE WAS GIVEN IN ACCORDANCE WITH THE CODE AND THE ACT, ON (I) THE PROJECT PLAN, RELATIVE TO THE QUALITY DAIRY CO. PROJECT (THE "PROJECT") PREPARED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING (THE "ISSUER"), AND (II) THE ISSUANCE OF BONDS BY THE ISSUER IN AN AMOUNT NOT TO EXCEED \$3,500,000 TO ASSIST IN THE FINANCING OF THE PROJECT; AND

WHEREAS, AT SAID PUBLIC HEARING, THE FULLEST OPPORTUNITY WAS GIVEN FOR EXPRESSION OF OPINION, FOR ARGUMENT ON THE MERITS, AND FOR INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE PROJECT PLAN, AND THE ISSUANCE OF BONDS, AND FURTHER, THIS CITY COUNCIL HAS GIVEN DUE CONSIDERATION TO ALL COMMUNICATIONS RECEIVED IN WRITING WITH REFERENCE THERETO; AND

WHEREAS, THIS CITY COUNCIL MADE AND PRESERVED A RECORD OF THE PUBLIC HEARING, INCLUDING ALL DATA PRESENTED THEREAT; AND

WHEREAS, THIS CITY COUNCIL DESIRES TO EXPRESS ITS APPROVAL OF SAID PROJECT PLAN, THE PROJECT DESCRIBED THEREIN AND THE ISSUANCE OF BONDS BY THE ISSUER IN AN AMOUNT NOT TO EXCEED \$3, 500, 000 TO ASSIST IN THE FINANCING OF THE PROJECT, AND REQUESTS THE ISSUER TO PROCEED WITH THE PROJECT AND THE FINANCING THEREOF;

NOW, THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF LANSING AS FOLLOWS:

- ▶ 1. THE PROJECT PLAN FOR THE PROJECT SHALL BE AMENDED TO PROVIDE FOR NOT TO EXCEED \$3,500,000 TO ASSIST IN THE FINANCING OF THE PROJECT.
- ▶ 2. IT IS HEREBY DETERMINED THAT THE PROJECT PLAN FOR THE PROJECT AS AMENDED IN PARAGRAPH 1 CONSTITUTES A PUBLIC PURPOSE WITHIN THE MEANING OF THE ACT AND SAID PROJECT PLAN IS HEREBY APPROVED IN ITS ENTIRETY BASED ON THE FOLLOWING CONSIDERATIONS:

- A. THE PROJECT PLAN MEETS THE REQUIREMENTS SET FORTH IN SECTION 8 OF THE ACT.
- B. THE PERSONS WHO WILL BE ACTIVE IN THE MANAGEMENT OF THE PROJECT FOR NOT LESS THAN ONE YEAR AFTER THE APPROVAL OF THE PROJECT PLAN HAVE SUFFICIENT ABILITY AND EXPERIENCE TO MANAGE THE PLAN PROPERLY.
- C. THE PROPOSED METHOD OF FINANCING

THE PROJECT IS FEASIBLE AND THE ISSUER HAS THE ABILITY TO ARRANGE THE FINANCING.

D. THE PROJECT IS REASONABLE AND NECESSARY TO CARRY OUT THE PURPOSES OF THE ACT.

- ▶ 3. BY ADOPTION OF THIS RESOLUTION APPROVING THE PROJECT PLAN THIS CITY COUNCIL INTENDS TO AND HEREBY DOES APPROVE THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$3,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF LIMITED OBLIGATION ECONOMIC DEVELOPMENT REVENUE BONDS DESCRIBED IN THE PROJECT PLAN AS IS REQUIRED BY THE CODE.
- ▶ 4. THE ISSUER IS HEREBY REQUESTED TO PROCEED WITH THE PROJECT AND THE FINANCING THEREOF.
- ▶ 5. ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT WITH THIS RESOLUTION ARE HEREBY REPEALED, BUT ONLY TO THE EXTENT OF SUCH CONFLICT.

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER JONES DISSENTING)

#### **RESOLUTION #334**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE AUDIT COMMITTEE REQUESTED PROPOSALS FROM EXTERNAL INDEPENDENT PUBLIC ACCOUNTING FIRMS TO PERFORM AN AUDIT OF THE CITY FOR EACH OF THE FISCAL YEARS ENDING JUNE 30, 1997 THRU 2001; AND

WHEREAS, BASED ON EVALUATION OF THE PROPOSALS RECEIVED, THE AUDIT COMMITTEE UNANIMOUSLY RECOMMENDED THE FIRM OF COOPERS & LYBRAND TO PERFORM THE CITY AUDITS; AND

WHEREAS, THE COMMITTEE ON WAYS AND MEANS CONCURS WITH THE AUDIT COMMITTEE RECOMMENDATION;

NOW, THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE SELECTION OF COOPERS & LYBRAND AS EXTERNAL AUDITOR FOR THE CITY FOR THE FISCAL YEARS ENDING JUNE 30, 1997 THRU 2001.

BY COUNCILMEMBER JONES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER LILLY DISSENTING)

ABSENT: 1

#### **ORDINANCES FOR INTRODUCTION**

#### **ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN ITS ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-06-97; 810 W. SAGINAW, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-06-97; 810 W. SAGINAW, BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBER BAUER

#### **ORDINANCE 2411**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE Z-06-97, 810 W. SAGINAW ST.  
PARCEL NUMBER PPN 3301-08-486-042

LEGAL DESCRIPTION: LOT 6 & LOT 7 ENGLEWOOD PARK ADDITION CITY OF LANSING INGHAM COUNTY MICHIGAN.

FROM "D-1" PROFESSIONAL OFFICE TO "F" COMMERCIAL DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY MATTERS:

DANIEL WILLMAN OF 2600 DEERFIELD, ATTORNEY ON BEHALF OF JAMIL EID, SPOKE REGARDING LAWSUITS FILED IN MR. EID'S BEHALF AGAINST THE CITY OF LANSING. THE SUITS ALLEGE POLICE MISCONDUCT IN THE COURSE OF INVESTIGATING A VIOLENT ATTACK UPON MR. EID.

DAN LIEBMAN OF P.O. Box 13192, ON BEHALF OF JAMIL EID, SPOKE IN SUPPORT OF HIS FRIENDS LAWSUIT AGAINST THE CITY.

ROBIE EID OF 2600 S. DEERFIELD SPOKE IN SUPPORT OF JAMIL EID'S LAWSUIT AGAINST THE CITY.

BOUTROS EID OF 111 VICKI COURT SAID THAT HE WAS AT THE HOSPITAL WITH HIS BROTHER ON THE DAY HE WAS ATTACKED. HE MADE ASSERTIONS WITH REGARD TO STATEMENTS MADE TO, AND BY, POLICE ON THAT DATE ABOUT HOW MUCH MONEY THE VICTIM HAD BEEN CARRYING. HE MADE ALLEGATIONS AGAINST THE POLICE DEPARTMENT WITH REGARD TO HIS BROTHER'S MISSING MONEY.

JIRISE EID, NO ADDRESS GIVEN, SPOKE IN SUPPORT OF HIS BROTHERS LAWSUIT AGAINST THE CITY OF LANSING.

KAY KENNEDY, KIM LAWRENCE, AND OFFICER CRAIG BAYLESS, FROM THE NORTH SIDE POLICE PRECINCT PRESENTED A PETITION SIGNED BY 257 POLICE DEPARTMENT EMPLOYEES ASKING FOR AN APOLOGY FROM COUNCILMEMBER JONES FOR HIS CHARACTERIZATIONS OF THE POLICE DEPARTMENT AT THE JUNE 2, 1997 CITY COUNCIL MEETING.

JAMIL EID OF 2600 S. DEERFIELD SAID THAT HE IS AFRAID THAT THE SAME PERSON WHO ATTACKED HIM BEFORE WILL COME BACK AND ATTACK HIM AGAIN. HE CLAIMED THAT HE WAS AS VICTIMIZED BY THE POLICE DEPARTMENT AS HE WAS BY HIS ATTACKER.

DAVID PRINTLER OF 120 W. MICHIGAN AVE. SAID THAT THE UAW HAS FINALLY GOT CITY COUNCILMEMBERS WHERE THEY WANT THEM. HE STATED THAT HE HAS BEEN PERSONALLY THREATENED BY UAW MEMBERS AT THE MELLING FORGING

CO. STRIKE SITE. POLICE GAVE REPEATED WARNINGS TO THE STRIKERS THAT THEY WOULD BE GASSED, IF THEY REFUSED TO CLEAR THE ENTRY/EXIT TO THE PLANT.

GLEN FREEMAN, PRESIDENT OF THE GREATER LANSING LABOR COUNCIL AT 419 S. WASHINGTON AVE. SAID THAT 19 UNIONS WERE REPRESENTED IN THE PICKET LINE AT THE MELLING FORGING CO. STRIKE SITE. HE IS SORRY THAT SOME PEOPLE WERE OFFENDED BY COUNCILMEMBER JONES' COMMENTS LAST MONDAY NIGHT. HE DENIED THAT ANY WARNINGS WERE GIVEN BY THE POLICE THAT GAS WAS GOING TO BE USED TO DISPERSE THE CROWD. HE URGED COUNCILMEMBERS NOT TO ACCEPT ALTERED TAPES OF THIS INCIDENT.

LLOYD TEETS OF 116 E. ELM ST. SYMPATHIZED WITH COUNCILMEMBER JONES' PREDICAMENT. HE COMPARED THE SITUATION IN LANSING WITH WACO, KENT STATE, AND RUBY RIDGE, SAYING, THIS IS THE REASON WE NEED A CITIZENS REVIEW BOARD.

DARNELL OLDHAM, SR. OF 3815 BERWICK URGED COUNCILMEMBER JONES NOT TO APOLOGIZE TO THE POLICE DEPARTMENT. MAYOR HOLLISTER SHOULD BE THE ONE TO APOLOGIZE TO EACH AND EVERY CITIZEN WHO WAS GASSED. HE COMPARED THIS INCIDENT TO TIANANMEN SQUARE.

CHRISTINE TIMMONS OF 335 E. ST. JOE APPLAUDED THE POLICE DEPARTMENT ON THEIR CROWD CONTAINMENT AND DISPERSEMENT METHODS. THE GAS THAT WAS USED WAS HARMLESS AND DID NOT CAUSE ANY LASTING AFFECTS. IT BURNS YOUR EYES AND STINGS YOUR NOSE. IT IS NOT LIFE THREATENING. ADOLPH HITLER'S VICTIMS WERE NOT ABLE TO RETURN FROM THEIR GASSING AND COMPLAIN ABOUT THE TREATMENT THEY WERE SUBJECTED TO. CITIZENS NEED TO STOP WORRYING ABOUT WHAT THE POLICE ARE DOING AND START WORRYING ABOUT WHAT THE PEOPLE WITH THE MONEY ARE DOING.

FRANK CURTIS "X", NO ADDRESS GIVEN, SAID THAT ALL POLICE HAVE RACIST ATTITUDES. HE STATED THAT, HAVING 18 CHILDREN, HE IS RAISING HIS OWN ARMY.

LOREN GLASSCOCK OF 515 EVERETT DR. SAID THAT HE WAS DISTURBED AND DISAPPOINTED BY COMMENTS MADE BY CITY COUNCILMEMBERS AT LAST WEEK'S MEETING. COUNCILMEMBER JONES, IN PARTICULAR MADE COMMENTS THAT WERE VERY DISTURBING. HE DOES NOT FEEL THAT THE ACTIONS TAKEN AT MELLING FORGING CO. WERE OUT OF ORDER. THE PEOPLE WERE ASKED SEVERAL TIMES TO MOVE. THEY HAD A LARGE TRUCK BLOCKING THE ENTRANCE TO THE PLANT. WHEN THEY REFUSED TO MOVE OR DISPERSE THE CROWD, THE TEAR GAS WAS THROWN. HIS IS VERY DISAPPOINTED WITH THE COMMENTS AND ATTITUDE TOWARDS THE POLICE DEPARTMENT THAT CERTAIN MEMBERS OF COUNCIL HAVE DISPLAYED. IF THEY ARE UNCERTAIN OF HOW A MOBILE FIELD FORCE WORKS, IT IS THEIR RESPONSIBILITY TO FIND OUT.

ALBERTA JORDAN, NO ADDRESS GIVEN, URGED COUNCILMEMBER JONES NOT TO APOLOGIZE TO THE POLICE DEPARTMENT. SHE MADE SEVERAL ACCUSATIONS ABOUT DETECTIVE DIOPTRIC OF THE POLICE DEPARTMENT.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE ASKED COUNCILMEMBER LEEMAN TO GET BACK WITH HER AS TO THE PROGRESS ON THE CAVANAUGH RD. RECONSTRUCTION PROJECT.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SPOKE IN OPPOSITION TO THE STORMWATER ENTERPRISE FUND.

MELANIE ROGERS OF 409 W. WILLOW CRITICIZED THE POLICE DEPARTMENT FOR THE USE OF TEAR GAS AT THE MELLING FORGING CO. STRIKE SITE.

RICHARD COLLINS OF 225 MOORES RIVER DR. SAID THAT HE IS APPALLED BY THE CITY'S GASSING OF A UNION PICKET LINE. HE IS NOT SURPRISED, THOUGH, BECAUSE MAYOR HOLLISTER IS RESPONSIBLE FOR IT. MOST OF THE PEOPLE IN THE CITY KNOW THAT THE STATE JOURNAL IS ONLY DOING THE MAYOR'S DIRTY WORK FOR HIM.

JOYCE TEDDER OF P.O. Box 6552 E. LANSING STATED THAT SHE HAS BEEN REFUSED POLICE PROTECTION BY LPD, BUT SHE HAS ALSO HAD THEM ARREST AND BRUTALIZE HER.

JOE SALAZAR, NO ADDRESS GIVEN, SAID JUST BECAUSE A POLICE OFFICER WAS THREATENED, IS NO REASON FOR THEM TO RESORT TO THE USE OF TEAR GAS.

RICHARD FISER OF 12100 S. CORK RD. IN MORRICE ALLEGED FAVORITISM SHOWN WITH REGARD TO THE CHARGES FOR SPECIAL ASSESSMENTS FOR PUBLIC IMPROVEMENTS ON CAVANAUGH RD.

ED SIMMER, NO ADDRESS GIVEN, SAID THAT HE WAS PRESENT AT THE MELLING FORGING CO. INCIDENT. HE CRITICIZED POLICE FOR THEIR ACTIONS.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #335 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-6-97, 810 WEST SAGINAW STREET, FROM "D-1" PROFESSIONAL OFFICE DISTRICT TO "F" COMMERCIAL DISTRICT

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED, AND THAT THE Z-6-97 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

## CITY OFFICERS & BOARD REPORTS

1. LETTERS FROM THE CITY ATTORNEY RE:

A. JAMIL EID EID V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. ELECTED OFFICERS COMPENSATION COMMISSION, FILING OF MARCH 19, 1997 MEETING MINUTES

RECEIVED AND PLACED ON FILE

2. LETTERS FROM THE MAYOR RE:

A. ESTIMATED AND ACTUAL REVENUES AND EXPENDITURES AS OF MARCH 31, 1997

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. LETTER OF APPRECIATION FROM GINA L. ZASADMY, INGHAM COUNTY ASSISTANT PROSECUTING ATTORNEY TO DET. GARY GUILS

RECEIVED AND PLACED ON FILE

C. TRANSFER OF FUNDS: PLANNING & NEIGHBORHOOD DEVELOPMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS  
**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. POSTCARD REQUESTING REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE

REFERRED TO THE PUBLIC SERVICES DEPARTMENT

2. LETTER OF COMPLAINT FROM PATRICIA B. KANE OF 610 W. OTTAWA #1309 ABOUT VIOLATIONS OF THE NOISE ORDINANCE AT A CONSTRUCTION SITE ON STATE OWNED PROPERTY LOCATED AT THE CORNER OF PINE AND OTTAWA

REFERRED TO THE CITY ATTORNEY

3. LETTER FROM HELEN FISER OF 12100 S. CORK RD., MORRICE, MI REGARDING THE CAVANAUGH RD. RECONSTRUCTION PROJECT

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

4. LETTER FROM CATHOLIC SOCIAL SERVICES/ST. VINCENT HOME FOR CHILDREN 2800 W. WILLOW ST. REQUESTING A \$5,000 DONATION TO ASSIST THEM WITH WINDOW REPLACEMENT NEEDS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. LETTER FROM ATTORNEY D. MICHAEL DUDLEY SUBMITTING A CLAIM ON BEHALF OF SHAWN MICHAEL POMES



REFERRED TO THE CITY ATTORNEY

6. GRIEVANCE REPORT FILED BY WILLIAM "BURT" BURLESON ON MAY 29, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

7. GRIEVANCE REPORT FILED BY WILLIAM "BURT" BURLESON ON MAY 30, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

8. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES OF THE CLOSING OF AN ADULT FOSTER CARE FAMILY HOMES LICENSED TO MARY MOFFIT AS KITTY AFC AT 3324 KAREN ST.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

9. EATON COUNTY 1997 TAX RATE REQUEST AND MILLAGE REQUEST REPORT

RECEIVED AND PLACED ON FILE

10. SLU-04-97, 625 W. SHERIDAN RD., PETITION FOR SPECIAL LAND USE FILED BY PASTOR NATHANIEL WHITT TO ALLOW FOR EXPANSION OF THEIR CHURCH

REFERRED TO THE MAYOR AND THE PLANNING BOARD

11. LETTER FROM CHRISTINE TIMMON IN SUPPORT OF THE LANSING POLICE DEPARTMENT AND THEIR USE OF TEAR GAS AT THE MELLING FORGING CO. STRIKE SITE

RECEIVED AND PLACED ON FILE

12. LETTER FROM CHRISTINE HARRISON OF 5431 CALVARY CIRCLE IN OPPOSITION TO AN APARTMENT COMPLEX PROJECT ON JOLLY RD. NEAR CEDAR ST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

13. LETTER FROM MATTIE THOMPSON-MAJOR OF THE ALTERNATIVE EDUCATION PROGRAM OF THE LANSING SCHOOL DISTRICT REQUESTING A WAIVER OF FEES FOR THE PAVILION AT FRANCES PARK FOR THEIR JUNE 11, 1997 PICNIC

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

14. LETTER FROM MICHAEL R. REED 2501 HAMPDEN DR. IN SUPPORT OF THE LANSING POLICE DEPARTMENT AND THEIR USE OF TEAR GAS AT THE MELLING FORGING CO. STRIKE SITE

RECEIVED AND PLACED ON FILE

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BENAVIDES SAID THAT THE INVESTMENTS OF THE RETIREMENT SYSTEM ARE REVIEWED EVERY MONTH. THE MANAGERS AND INSTITUTIONS THE SYSTEM INVESTS IN ARE REVIEWED QUARTERLY. THE BOARD OF TRUSTEES IS VERY CONCERNED ABOUT LOCAL INVESTMENT OPTIONS. THIS BOARD IS MADE UP OF DEDICATED BOARD MEMBERS WHO

ARE BOTH TAX PAYERS AND CITY EMPLOYEES.

COUNCILMEMBER LEEMAN CORRECTED SOME STATEMENTS MADE ABOUT THE DEATH OF REX BELL AT SPARTY'S NIGHT CLUB. THIS INCIDENT TOOK PLACE IN LANSING TOWNSHIP. MR. BELL'S DEATH WAS NOT ATTRIBUTABLE TO EITHER THE LANSING POLICE DEPARTMENT, OR THE LANSING TOWNSHIP POLICE DEPARTMENT, BUT TO A BOUNCER AT THE NIGHT CLUB.

COUNCILMEMBER JONES ACKNOWLEDGED THE PETITIONS SUBMITTED TO HIM BY EMPLOYEES OF THE LANSING POLICE DEPARTMENT. HE READ A LETTER SUBMITTED TO MAYOR HOLLISTER BY A RESIDENT WHO WAS AFFECTED BY THE TEAR GAS INCIDENT AT MELLING FORGING CO. HE STATED THAT THIS USE OF FORCE WAS TOTALLY UNCALLED FOR. MAYBE OVER 200 POLICE OFFICERS SIGNED THESE PETITIONS, BUT THOUSANDS OF PEOPLE IN THIS CITY CONDEMN THE ACTIONS OF THE POLICE THAT NIGHT. EVERY OFFICER WHO PARTICIPATED IN THIS EVENT SHOULD WRITE A LETTER OF APOLOGY TO THE STRIKERS OF MELLING FORGING CO. AND TO THE RESIDENTS IN THIS AREA. HE SUGGESTED THAT PEOPLE INVOLVED IN THIS INCIDENT READ "THE RISE AND FALL OF THE THIRD REICH". HE WILL NEVER APOLOGIZE FOR HIS STATEMENTS, IT IS THE POLICE WHO SHOULD APOLOGIZE FOR THEIR DASTARDLY DEED.

COUNCIL PRESIDENT BEAL NOTED THAT THE ACTIONS OF A FEW REFLECT BADLY ON AN ENTIRE GROUP. NO ONE KNOWS YET WHAT HAPPENED ON MAY 29, 1997 AT MELLING FORGING CO. WE NEED TO FIND OUT WHO KNEW WHAT, HOW MUCH THIS ACTION COST, AND WHAT POLICY IS FOR DISPERSING THESE TYPES OF GATHERING. SHE VIEWED A TAPE OF THE INCIDENT AND IT APPEARED TO HER THAT THE POLICE ANTICIPATED A LARGE RALLY, AND WHEN IT DID NOT MATERIALIZE THEY FOUND THEMSELVES ALL DRESSED UP WITH NO WHERE TO GO. THEY HAD ALL OF THE EQUIPMENT AT HAND, AND THE MAYOR WAS AWARE THAT TEAR GASSING WAS A CONTINGENCY PLAN. THE CITY'S POLICE FORCE SHOULD NOT EVEN HAVE BEEN INVOLVED IN THIS MATTER. IF MELLING FORGING NEEDED SECURITY, THEY SHOULD BE REQUIRED TO HIRE THEIR OWN SECURITY. THEY PROVIDED THEIR OWN SECURITY FOR AWHILE, BUT FOUND IT TOO COSTLY TO CONTINUE. THE QUESTION FOR THE CITY IS; HOW MUCH SHOULD OUR POLICE FORCE BE INVOLVED IN THIS MATTER? WE SHOULD BE CAREFUL TO TREAT OTHERS IN THE SAME MANNER THAT WE WOULD WISH TO BE TREATED OURSELVES. THIS IS WHY SHE IS RUNNING FOR MAYOR, BECAUSE SHE BELIEVES THAT THERE SHOULD BE A FULL DISCUSSION OF THESE TYPES OF ISSUES IN THIS CITY. SHE ANNOUNCED THE CANCELLATION OF THE COMMITTEE OF THE WHOLE MEETING REGULARLY SCHEDULED TO BE HELD THIS THURSDAY, AT 4:30 P.M.

### MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

MR. WIENER SPOKE REGARDING THE COMMENTS MADE BY MRS. TIMMONS REGARDING MINORITY BUSINESSES IN LANSING AND WHETHER THEY ARE SOLICITED TO BID ON CITY CONTRACTS. HE REPORTED THAT ALL OF THE CITY'S CONTRACTS GO OUT TO BID. THIS IS REGULATED BY THE PURCHASING ORDINANCE, HOWEVER, THE CITY IS BOUND BY MORE THAN IT'S ORDINANCES. WE ARE BOUND BY FEDERAL AND STATE LAW REQUIREMENTS ON AFFIRMATIVE ACTION, AND

BY THE CITY'S OWN AFFIRMATIVE ACTION PROGRAM. IN ADDITION, THE PURCHASING DEPARTMENT WORKS WITH MINORITY OWNED FIRMS TO EXPLAIN THE CITY'S PROCESSES AND TO ENSURE THAT THEY HAVE BEEN GIVEN AN OPPORTUNITY TO GET INVOLVED IN BIDDING. IN LANSING, WE ESTABLISHED A MICRO ENTERPRISE PROGRAM TO GIVE INDIVIDUALS AN OPPORTUNITY TO FORM BUSINESSES. TWO-THIRDS OF THE PARTICIPANTS IN THIS PROGRAM ARE MINORITIES. THEY CAN RECEIVE UP TO \$5,000 TO GET STARTED, FORMULATE A BUSINESS PLAN AND ESTABLISH THEIR BUSINESS.

HE RESPONDED TO COMMENTS MADE BY REVEREND ANDREW BRODIE REGARDING THE FORMATION OF A CITIZENS REVIEW BOARD. THE MARCH FOR JUSTICE MADE THEIR RECOMMENDATIONS FOR A CITIZENS REVIEW BOARD IN JANUARY OF THIS YEAR. THE MAYOR'S OFFICE HAS REPORTED THAT THE BOARD OF POLICE COMMISSIONERS WISH TO SERVE AS THE CITIZENS REVIEW BOARD. THE BOARD OF POLICE COMMISSIONERS IS A BOARD COMPRISED OF VOLUNTEERS WHO ARE RESIDENTS OF THE CITY.

WITH REGARD TO STATEMENTS MADE ABOUT THE STORMWATER ENTERPRISE FUND. THE CITY IS REQUIRED UNDER THE PROVISIONS OF THE FEDERAL CLEAN WATER ACT TO CEASE DUMPING RAW SEWAGE INTO THE GRAND AND RED CEDAR RIVERS. THE CITY, IN ACCORDANCE WITH THE REQUIREMENTS OF THE CLEAN WATER ACT, ESTABLISHED A 30 YEAR PLAN TO PREVENT THE DUMPING OF SEWAGE INTO THE RIVER. TWO OPTIONS TO ACCOMPLISH THIS END WERE CONSIDERED. ONE OPTIONS WAS SEWER SEPARATION, AND ONE OPTION WAS THE USE OF RETENTION BASINS. WHEN THESE OPTIONS WERE BEING CONSIDERED 5-6 YEARS AGO, THE CITY COUNCIL DECIDED THAT THE LEAST EXPENSIVE METHOD WAS THE SEWER SEPARATION, CONSEQUENTLY, EVERYONE HAS DISAGREED WITH THE ACTIONS TAKEN BY CITY COUNCIL. THAT IS WHY WE DECIDED TO HIRE A CONSULTANT, TO MAKE SURE THAT WE HAVE EMBARKED ON THE RIGHT COURSE. WHAT WE HAVE DONE HAS BEEN UPHELD BY THE COURTS. EVERYTHING WE HAVE DONE HAS BEEN PUBLIC AND HAS BEEN PUT THROUGH THE PUBLIC HEARING PROCESS AND APPROVED IN PUBLIC MEETINGS BY CITY COUNCIL. THIS HAS BEEN AS PUBLIC AS YOU CAN IMAGINE ANYTHING BEING. FOR MEMBERS OF THE PUBLIC TO SUGGEST THAT THIS PROCESS HAS BEEN FRAUDULENT, OR SECREITIVE, IS ABSURD.

THE LANSING POLICE DEPARTMENT HAS BEEN RESPONDING TO CALLS FROM THE MELLING FORGING Co. TWICE PER DAY. THEY HAVE GONE TO THE PLANT TO ENSURE THE SAFE INGRESS AND EGRESS TO THE PLANT FOR THE RELIEF WORKERS. THIS HAS BEEN GOING ON FOR THREE MONTHS. POLICE OFFICERS, WHO ARE ALSO UNION MEMBERS, HAVE DEVELOPED A PROCESS WITH THE STRIKERS FOR HOW THIS SHOULD WORK. POLICE HAVE BEEN WORKING WITH THE STRIKERS AND WITH MELLING FORGING Co. FOR FORMULATE THIS PROCESS. HOW OR WHY THE PROCESS BROKE DOWN, AND WHAT WENT WRONG, WE DO NOT KNOW. WE KNOW THAT WE NEED TO CONTINUE TO INVESTIGATE THE CAUSE AND DEVELOP OUR UNDERSTANDING OF WHAT HAPPENED. THE CRITICAL QUESTION, AT THIS POINT, IS WHAT WILL HAPPEN ON THURSDAY, WHEN THERE WILL BE ANOTHER DEMONSTRATION INVOLVING MANY MORE STRIKERS THAN BEFORE. THE CHALLENGE BECOMES TO HANDLE THIS IN A PEACEFUL WAY AND NOT IN ANY WAY CREATE A SITUATION THAT COULD BE A

PROBLEM FOR THE POLICE, WHO UNDER THE LAW HAVE TO PREVENT VIOLENCE AND ENSURE THE SAFE PASSAGE OF THE RELIEF LABORERS INTO AND OUT OF THE PLANT. WE HAVE TO WORK TOGETHER TO PRESERVE THE STRIKERS RIGHT TO STRIKE AND THE RIGHT OF RELIEF LABORERS TO WORK, AS WELL AS MELLING FORGING COMPANY'S RIGHT TO EXIST. WE BELIEVE THAT WE HAVE AN UNDERSTANDING OF HOW TO PROCEED SO THAT NO ONE IS HURT AND COMMUNICATIONS DO NOT BREAK DOWN.

**ADJOURNED 10:45 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JUNE 16, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR  
SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY  
PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES,  
JONES, LEEMAN, LILLY, NOVAK

ABSENT: COUNCILMEMBER BAUER

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY  
COUNCILMEMBER LILLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE  
RULES:

1. FROM COUNCILMEMBER LILLY; TO RECONSIDER THE  
VOTE ON RESOLUTION #332, AMENDING LANSING  
ENTERTAINMENT & PUBLIC FACILITIES AUTHORITY OPERATING  
AGREEMENT, TO ALLOW FOR RESCISSION OF THE  
RESOLUTION AND REFERRAL TO THE COMMITTEE OF THE  
WHOLE

2. FROM COUNCILMEMBER LEEMAN; A RESOLUTION  
AUTHORIZING THE RETENTION OF A PART-TIME MAGISTRATE  
FOR 54-A DISTRICT COURT

3. FROM COUNCILMEMBER LEEMAN; A RESOLUTION OF  
TRIBUTE TO FATHER WILLIAM J. TURNER, AND A REQUEST  
FOR ADDITION OF A SPECIAL CEREMONY FOR PRESENTATION  
OF THE RESOLUTION TO "FATHER BILL"

4. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
APPROVING LICENSES AND BONDS FOR FIREWORKS DISPLAY  
PERMIT ISSUED TO MELROSE PYROTECHNICS FOR A DISPLAY  
ON JULY 4, 1997

5. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION  
APPROVING LICENSES AND BONDS FOR FIREWORKS DISPLAY  
PERMIT ISSUED TO LARRY HOLLY AND NIGHT MAGIC FOR TWO  
DISPLAYS; JUNE 21, 1997 AND JULY 4, 1997

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION  
OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS

COUNCILMEMBER JONES ANNOUNCED THAT THE MOORES  
PARK POOL HAS UNDERGONE EXTENSIVE RENOVATIONS AND  
WILL NOT BE OPEN FOR APPROXIMATELY A WEEK TO 10  
DAYS, HOWEVER, WHEN IT OPENS IT WILL BE A HEATED POOL  
AND WILL BE KEPT AT 78°.

COUNCILMEMBER LEEMAN ANNOUNCED THAT THE FIRST  
"CONCERT IN THE PARK" FOR THIS YEAR WILL BE HELD THIS  
WEDNESDAY, AT FRANCES PARK AND WILL FEATURE THE  
LANSING CONCERT BAND PERFORMING MUSIC FROM THE BIG  
BAND ERA.

MAYOR HOLLISTER ANNOUNCED THAT THE FAMILY RIVERWALK  
EVENT DREW OVER 2,000 PEOPLE. THIS EXCEEDED THEIR  
ESTIMATES BY 1,000 PEOPLE. CONSEQUENTLY THEY RAN  
SHORT OF "GOODY BAGS" AND TEE SHIRTS. EVERYONE WHO  
DID NOT RECEIVE THESE ITEMS AT THE EVENT WILL GET THEM  
IN THE MAIL. M-CARE HAS PROMISED TO SEE TO THIS.

THE MAYOR URGED ATTENDANCE AT THE 4TH OF JULY/APPLE  
PIE CELEBRATION. THIS EVENT IS SPONSORED BY THE STATE  
EMPLOYEES CREDIT UNION, AND WILL INCLUDE A BBQ AT  
LOUIS ADAMO RIVERFRONT PARK, GAMES, A CONCERT BY THE  
LANSING CONCERT BAND, AND FIREWORKS CELEBRATED IN  
TANDEM WITH THE OLDSMOBILE PARK CELEBRATION.

COUNCILMEMBER LILLY ANNOUNCED THAT THIS SUNDAY AT  
OLDSMOBILE PARK THEY WILL DEDICATE A WALL HONORING  
ALL DIAMOND CLASSIC CHAMPIONS SINCE 1962. THE WALL  
WILL FEATURE PLAQUES TO ALL STATE CHAMPION BASEBALL  
TEAMS, AS WELL AS THE BOB GROSS ACHIEVEMENT AWARD.

► SPECIAL CEREMONIES

COUNCILMEMBER LEEMAN, ALONG WITH MAYOR HOLLISTER  
AND MARY MARGARET MURPHY-WOLL AND OTHER MEMBERS  
OF THE EASTSIDE NEIGHBORHOOD ORGANIZATION  
PRESENTED A RESOLUTION OF TRIBUTE TO FATHER WILLIAM  
J. TURNER, "FATHER BILL", WHO WILL BE LEAVING LANSING  
VIA A TRANSFER TO FENTON, MI. "FATHER BILL" THANKED  
COUNCILMEMBERS, AND THE COMMUNITY FOR THEIR  
SUPPORT OVER THE YEARS.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON PUBLIC HEARINGS

1. PRINCIPAL SHOPPING DISTRICT SPECIAL ASSESSMENT -  
ESTABLISHING FOUR SPECIAL ASSESSMENT ZONES AND  
SETTING THE BOUNDARIES THEREOF, THE SERVICES TO BE  
PROVIDED, THE ESTIMATED COST OF THE SPECIAL  
ASSESSMENTS AND THE AMOUNT TO BE ASSESSED

JAN HAYHOW OF 113 S. WASHINGTON SQUARE SPOKE IN  
SUPPORT OF THIS SPECIAL ASSESSMENT.

NANCY ACHENBACH OF 223 S. WASHINGTON STATED HER

## SUPPORT FOR THE PSD SPECIAL ASSESSMENT

JANET FOEHNENBACH OF 6150 W. MICHIGAN AVE., AN EMPLOYEE OF THE PSD STATED HER SUPPORT FOR THE SPECIAL ASSESSMENT.

LISA OF 3208 HOLIDAY, REPRESENTING THE OLD TOWN COMMERCIAL ASSOCIATION, SPOKE IN SUPPORT OF THE PSD SPECIAL ASSESSMENT.

LINDA GERDS OF 1158 HARRINGTON IN E. LANSING SPOKE IN SUPPORT OF THE PSD SPECIAL ASSESSMENT.

KELLY THOMPSON, EXECUTIVE DIRECTOR OF THE PSD SPOKE IN SUPPORT OF THE SPECIAL ASSESSMENT, SAYING THAT THERE ARE 1,100 PEOPLE IN THE DISTRICT THAT THEY COMMUNICATE WITH ON A MONTHLY BASIS. THEY PUBLISH A MONTHLY NEWSLETTER AND A QUARTERLY NEWSLETTER. THEY HAVE DEVELOPED A POCKET GUIDE LISTING ALL OF THE BUSINESS IN THE DISTRICT.

## REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. SPECIAL ASSESSMENT ROLL # 330 FOR PUBLIC IMPROVEMENTS IN THE FORM OF CURB AND GUTTER: CAVANAUGH ROAD RECONSTRUCTION FROM PENNSYLVANIA AVENUE TO AURELIUS ROAD

CHARLES SWINEHART OF 4409 DEVONSHIRE SAID THAT HE DOES NOT WANT CAVANAUGH RD. TO END UP A THROUGH-WAY LIKE JOLLY RD. DID, WITH CURBS AND NO BIKE LANE. HE ACCUSED THE CITY OF TAKING PROPERTY OWNERS MONEY AND USING IT FOR PURPOSES OTHER THAN WHAT THEY ARE SUPPOSED TO USE IT FOR.

JANE GOODMAN OF 1801 E. CAVANAUGH RD. SAID THAT SHE WANTS TO KNOW WHERE THEIR MONEY IS GOING TO.

DICK FISER OF 12100 S. CORK RD. IN MORRICE, SAID THAT BEST MANAGEMENT PRACTICES (BMP'S) CALL FOR ROLLING CURBS, NOT STRAIGHT UP AND DOWN CURBS ON CAVANAUGH RD. HE SPOKE REGARDING EASEMENTS THAT HAVE BEEN GRANTED ON THE NORTH AND SOUTH SIDES OF THE ROAD WHEREIN THE PROPERTY OWNERS HAVE NOT HAD TO PAY FOR THEIR PUBLIC IMPROVEMENTS. HE SAID THAT THE CHARGE FOR THESE IMPROVEMENTS SHOULD ONLY BE \$9.00 PER FOOT, BUT THE CITY IS CHARGING THEM \$12.00 PER FOOT. WHY THE DISCREPANCY? THEY WOULD LIKE SOMEONE IN AUTHORITY TO RESPOND TO THESE QUESTIONS.

HELEN FISER OF 12100 S. CORK RD. PROTESTED THE MANNER IN WHICH THE PUBLIC SERVICE DEPARTMENT HAS TREATED THEM IN THE COURSE OF THIS PROJECT. THEY DO NOT WANT THIS PROJECT GOING FORWARD, BECAUSE THEY HAVE NOT BEEN GIVEN THE INFORMATION THEY HAVE ASKED FOR.

DENNIS SMITH OF 1400 E. CAVANAUGH SPOKE IN OPPOSITION TO THIS SPECIAL ASSESSMENT.

## REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

► PUBLIC COMMENT ON LEGISLATIVE MATTERS

LLOYD TEETS OF 116 E. ELM ST. CRITICIZED THE FACT THAT THERE ARE NO ACTION ITEMS LISTED ON TONIGHT'S AGENDA.

**LEGISLATIVE MATTERS  
RESOLUTIONS****RESOLUTION #336**

BY COUNCILMEMBER LEEMAN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE REVEREND DOCTOR WILLIAM J. TURNER WILL SHORTLY BE LEAVING LANSING FOR HIS NEW ASSIGNMENT IN FENTON, MICHIGAN; AND

WHEREAS, FATHER DOC BILL HAS SPENT THE PAST FOUR YEARS AS PAROCHIAL VICAR AT THE CHURCH OF THE RESURRECTION WHERE HE HAS BEEN CONSISTENTLY INVOLVED IN NEIGHBORHOOD ACTIVITIES; AND

WHEREAS, FATHER BILL'S INVOLVEMENT RESULTED IN CLEANING, TRIMMING, AND PLANTING FLOWER BARRELS FROM THE 700 BLOCK TO THE 2400 BLOCK OF EAST MICHIGAN AVENUE, ORGANIZING E.N.O. PARTICIPATION IN MICHIGAN RUNS AND FOURTH OF JULY PARADES, AND CO-CHAIRING THE NEIGHBORHOOD PAINT BLITZ TEAM; AND

WHEREAS, FATHER BILL HAS SERVED AS A MEMBER OF THE SPARROW HEALTH SUMMIT STEERING COMMITTEE WHERE HE HAS PROVIDED VALUABLE INSIGHT ON COMMUNITY NEEDS; AND

WHEREAS, FATHER BILL HAS NOT ONLY PROVEN HIMSELF AN ENTHUSIASTIC AND DEDICATED WORKER, BUT ALSO HAS SHOWN A GREAT TALENT FOR ORGANIZING THE DIVERSE COMPONENTS OF THE NEIGHBORHOOD IN TACKLING A VARIETY OF ISSUES AND PROBLEMS ON THE EAST SIDE OF LANSING.

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 16TH DAY OF JUNE, 1997 HEREBY OFFERS THEIR MOST SINCERE APPRECIATION FOR FATHER BILL'S EFFORTS DURING HIS STAY HERE IN LANSING, AND

BE IT FURTHER RESOLVED THE CITY COUNCIL, ON BEHALF OF LANSING RESIDENTS WISHES FATHER BILL THE SAME SUCCESS IN HIS FUTURE ENDEAVORS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #337**

BY COUNCILMEMBER RICK LILLY

BY COUNCILMEMBER LILLY

TO RECONSIDER THE VOTE TAKEN ON RESOLUTION #332, AMENDING THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY OPERATING AGREEMENT, WHICH WAS ADOPTED BY THIS CITY COUNCIL ON MONDAY, JUNE 9, 1997

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

TO RESCIND THE PASSAGE OF RESOLUTION #332 WHICH AMENDS THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY OPERATING AGREEMENT, AND TO REFER THE AMENDMENT TO THE COMMITTEE OF THE WHOLE

CARRIED UNANIMOUSLY

**RESOLUTION #338**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, TWO 54-A DISTRICT JUDGES WILL SOON BE LEAVING THE COURT ON MATERNITY LEAVE; AND

WHEREAS, THE COURT'S INITIAL PLAN TO COVER THIS TIME WAS TO USE RETIRED JUDGES WHO WOULD BE ASSIGNED BY THE STATE COURT ADMINISTRATORS OFFICE; AND

WHEREAS, ONE OF THE JUDGES THAT WAS TO BE RETAINED HAS HAD TO WITHDRAW DUE TO MEDICAL REASONS REQUIRING THE COURT TO HIRE A PART-TIME ATTORNEY-MAGISTRATE TO FILL THIS POSITION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE COURT'S SELECTION OF MR. THOMAS JOHN MATTERN, TO FILL THIS VOID; AND

BE IT FURTHER RESOLVED, THE LANSING CITY COUNCIL WISHES JUDGE MANDERFIELD AND JUDGE NICKERSON WELL DURING THIS VERY SPECIAL AND JOYFUL TIME AND LOOK FORWARD TO THEIR RETURN TO THE BENCH.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #339**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR A CITY PERMIT, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR A CITY PERMIT FOR:

FIREWORKS DISPLAY PERMIT: MELROSE PYROTECHNICS, INC. AT OAK PARK ON JULY 4, 1997

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #340**

BY COUNCILMEMBER TONY BENAVIDES

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR A CITY PERMIT, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR A CITY PERMIT FOR:

FIREWORKS DISPLAY PERMIT: NIGHT MAGIC FOR LARRY J. HOLLY AT OLDSMOBILE PARK ON JUNE 21, 1997, AND JULY 4, 1997.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY RELATED MATTERS

ROY JONES OF 131 E. HOWE STATED THAT HE IS HERE FIGHTING FOR HIS SURVIVAL. HE HAS \$50,000 WORTH OF EQUIPMENT STORED IN HIS HOME, BUT HE IS NOT ALLOWED TO LIVE IN IT. BUILDING SAFETY WILL NOT ALLOW HIM TO STAY OVERNIGHT IN HIS HOUSE, HOWEVER HE CAN BE ALLOWED TO WORK IN THERE DURING THE DAY.

GERRY ROWE, CHAIR OF THE FIRST ANNUAL MAYOR'S RIVERWALK CONFIRMED THAT 2,000 PEOPLE PARTICIPATED IN THE WALK. LANSING HAS ONE OF THE TWO BEST RIVERWALKS IN THE COUNTRY.

FRANK CURTIS "X" SAID THAT HE HAD A WONDERFUL WEEKEND CELEBRATING THE CITY'S 150TH BIRTHDAY. HE THOUGHT THE EVENT SHOULD HAVE RECEIVED MORE PUBLICITY. HE ASKED TO BE GIVEN ADDITIONAL TIME TO SPEAK ON PROBLEMS ON HOLMES RD. THAT HE REFERENCED IN HIS LETTER ON TONIGHT'S AGENDA.

WILLIAM HODGE OF 1246 DAKIN SAID THAT HE LIVES JUST NORTH OF POTTER PARK. HE RELATED PROBLEMS THEY HAVE BEEN HAVING IN HIS NEIGHBORHOOD WITH PEOPLE ON THE BRIDGE SHOOTING AT HOUSES. HIS HOUSE WAS SHOT UP JUST LAST WEEKEND. HE WAS NEARLY HIT BY ONE OF THE BULLETS. HE DISPLAYED PICTURES AND REMNANTS OF BULLETS FIRED INTO HIS HOME. HE ASKED THAT THE FOOTBRIDGE THAT CROSSES PENNSYLVANIA AVE. AT POTTER PARK BE CLOSED OFF WITH GATES AT NIGHT WHEN THE PARK IS CLOSED.

THESE COMMENTS WERE REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

EVELYN HARVEY OF 850 LINCOLN SUGGESTED THAT ALL COUNCILMEMBERS SPEND 10 WEEKS IN THE POLICE ACADEMY. SHE SPOKE IN SUPPORT OF THE POLICE DEPARTMENT AND SAID THAT COUNCILMEMBER JONES OWES THEM AN APOLOGY.

HAZEL BETHEA OF 1002 W. SHIAWASSEE SPOKE IN

SUPPORT OF THE POLICE DEPARTMENT. THE MARCH FOR JUSTICE, SHE SAID, HAS CREATED MORE PROBLEMS THAN THEY HAVE SOLVED. YOU HAVE TO GIVE RESPECT BEFORE YOU CAN EXPECT TO GET IT BACK.

CHRISTINE TIMMON OF 335 E. ST. JOE SPOKE REGARDING NON-POINT SOURCE POLLUTION CONTRIBUTING TO THE DECAY OF OUR INLAND LAKES, RIVERS AND STREAMS, AS WELL AS THE GREAT LAKES. THIS TYPE OF POLLUTION IS MOSTLY CAUSED BY LAWN CARE PROVIDERS. SHE ADVOCATED A MORATORIUM ON LAWN CARE CHEMICALS TO HELP PREVENT THIS TYPE OF POLLUTION AND TO MINIMIZE THE NEED FOR THE CSO PROJECT.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SPOKE REGARDING CIVIL RIGHTS THAT HAVE NOT BEEN GIVEN TO THE BLACK COMMUNITY AND OTHER ETHNIC MINORITIES.

ED SIMMER OF 2609 DIER ST. SAID THAT POLICE SHOULD NOT BE SENT TO MELLING DROP FORGE UNLESS THERE IS AN EXTREME EMERGENCY. THEY ARE ONLY TAKING STRIKERS JOBS AWAY FROM THEM. THE SCAB LABORERS SHOULD HAVE TO TAKE THEIR LIVES INTO THEIR OWN HANDS WHEN THEY CROSS THE PICKET LINE.

WILLIAM HUBBELL OF 3916 WEDGEWOOD SPOKE REGARDING A TRAFFIC BARRICADE AT GRANTSBURG AND STILLWELL AND REGARDING DMS PROCEEDINGS FOR PROPERTY LOCATED AT 4520 STILLWELL. THIS PROPERTY WAS GIVEN A 15 DAY PERIOD TO DEMOLISH OR MAKE-SAFE THEIR STRUCTURE, AND THAT WAS LAST SPRING. WHAT IS HAPPENING?

ALBERTA JORDAN, NO ADDRESS GIVEN, CRITICIZED PREVIOUS SPEAKERS AND STATED THAT SHE MADE THE OUTFIT THAT SHE IS WEARING.

AMMAHAD SHEKARAKKI OF 902 WILLOW URGED SPEAKERS TO TREAT EACH OTHER RESPECTFULLY. WE CAN DISAGREE WITHOUT BEING DISRESPECTFUL. HE SPOKE REGARDING HIS PERCEPTION OF THE NUMBER OF PEOPLE IN THIS COUNTRY WHO DO NOT BELIEVE THAT ALL RACES DESERVE EQUALITY.

TOM LAFFERTY OF 1806 W. MICHIGAN AVE. SAID THAT HE THOUGHT THERE WAS SUPPOSED TO BE A PUBLIC HEARING ON THE NPDES PERMIT TONIGHT, BUT APPARENTLY IT WAS SCHEDULED FOR NEXT WEEK. HE CRITICIZED THE MANNER IN WHICH THE CSO PROJECT IS BEING CARRIED OUT ON MICHIGAN AVE., AND ASKED THAT THE PROJECT BE HALTED BEFORE MORE MONEY IS WASTED.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, MI SAID THAT SHE WANTS A COPY OF THE LETTER FROM THE FEDERAL GOVERNMENT CONFIRMING THE CSO PROJECT MANDATES.

CHARLENE DECKER OF 2711 PLEASANT GROVE SAID THAT THE ISSUE OF THE MELLING FORGING CO. TEAR GASSING IS GETTING MUDDIED UP. SHE HAS DONE SOME INVESTIGATING, AND IT DOES NOT APPEAR TO HER THAT THERE WAS INHERENT DANGER THAT WOULD HAVE NECESSITATED THE GASSING.

REVEREND LESTER STONE OF 1603 W. KALAMAZOO INVITED EVERYONE INTERESTED IN HELPING THEM TO

CIRCULATE AND DISTRIBUTE PETITIONS FOR A CHARTER AMENDMENT TO ESTABLISH A CITIZENS REVIEW BOARD TO ATTEND A MEETING AT FRIENDSHIP BAPTIST CHURCH THIS WEDNESDAY NIGHT.

LLOYD TEETS OF 116 E. ELM ST. CLAIMED THAT THE MELLING FORGING INCIDENT TOOK PLACE BECAUSE THE POLICE WERE ON A TRAINING MISSION. THEY PLANNED THIS ATTACK IN ADVANCE. THEY WENT TO THE SITE TO CONDUCT RIOT CONTROL, EVEN IF THERE WAS NO RIOT. HE CLAIMED THAT THERE ARE A DISPROPORTIONATE NUMBER OF BLACKS AND HISPANICS BEING TICKETED BY LPD. THIS CAN BE OBSERVED BY VISITING THE 6TH FLOOR.

## CITY OFFICERS & BOARD REPORTS

### 1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

### 2. LETTERS FROM THE CITY ATTORNEY:

A. GARY ELLSWORTH AND SHERRY ELLSWORTH V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. GERALD STORMS AND KIM STORMS V CITY OF LANSING

RECEIVED AND PLACED ON FILE

### 3. LETTERS FROM THE MAYOR RE:

A. ACT-6-97, SOUTH WASHINGTON SQUARE STREETSCAPE IMPROVEMENTS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

B. ACT-13-93, AMENDMENT TO EASEMENT RESERVATION, 1000 BLOCK OF W. HILLSDALE

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

C. SLU-2-97, PRUDDEN WHEEL, TO ALLOW UP TO 180 RESIDENTIAL UNITS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

D. Z-3-97, 1100 BLOCK OF WILLOW STREET, ARBOR DRUG, REZONING FROM "B" RESIDENTIAL AND "J" PARKING TO "F" COMMERCIAL

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

E. TRANSFER OF FUNDS: PLANNING & NEIGHBORHOOD DEVELOPMENT, PARKS & RECREATION, LANSING POLICE

## DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS  
F. PUBLIC IMPROVEMENT IV - CAVANAUGH ROAD FROM  
PENNSYLVANIA AVENUE TO AURELIUS

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

G. PUBLIC IMPROVEMENT I - E. PAULSON STREET FROM  
EAST STREET TO CEDAR STREET

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. LETTER OF APPRECIATION TO OFFICERS BOB CATLON,  
STEVE MCLEAN AND SGT. JEFF SMITH FROM WILLIAM L.  
FINDSEN

RECEIVED AND PLACED ON FILE

I. LETTER OF APPRECIATION TO OFFICERS CHERIE CURLEY  
AND PAUL BEASINGER

RECEIVED AND PLACED ON FILE

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS  
BEING READ IN FULL AND THAT THE PROPER REFERRALS BE  
MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. STORMWATER CLAIMS FILED BY:

-GEORGE S. GRABOWSKI, 1434 E. JOLLY ROAD  
-RICHARD & HELEN FISER, 12100 S. CORK ROAD,

REFERRED TO THE CITY ATTORNEY

2. REPORT FROM THE BLUE RIBBON PANEL ON EDUCATION

RECEIVED AND PLACED ON FILE

3. Z-13-97, PETITION FOR REZONING FILED BY THE CITY  
OF LANSING FOR THE 300 BLOCK OF N. CAPITOL AVE.  
(CITY PARKING LOT #2) TO REZONE FROM "E-1" AND "DM-  
4" DISTRICT TO "G-1" BUSINESS DISTRICT

REFERRED TO THE MAYOR AND THE PLANNING BOARD

4. PROTEST PETITION SIGNED BY 18 RESIDENTS OF THE  
CAVANAUGH ROAD AREA REGARDING THE CAVANAUGH ROAD  
RECONSTRUCTION P.S. #6706

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5. LETTER FROM FRANK S. CURTIS X, 4708 INGHAM,  
REQUESTING PERMISSION TO ADDRESS THE COUNCIL  
REGARDING PROBLEMS ON PLEASANT GROVE ROAD

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. CLAIM FILED BY ATTORNEYS ON BEHALF OF SHARMAN  
MOORE

REFERRED TO THE CITY ATTORNEY

7. COMMENTS MADE BY MR. WILLIAM HODGE OF 1246  
DAKIN CRT. REGARDING SHOTS BEING FIRED FROM THE  
POTTER PARK FOOTBRIDGE INTO HIS HOME

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

**MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER NOVAK

TO EXCUSE COUNCILMEMBER BAUER FROM TONIGHT'S  
PROCEEDINGS

CARRIED UNANIMOUSLY

**COUNCILMEMBERS COMMENTS**

COUNCILMEMBER JONES CONFIRMED THE REGULARLY  
SCHEDULED MEETING OF THE WAYS AND MEANS COMMITTEE  
THIS WEDNESDAY AT 4:30 P.M.

COUNCILMEMBER LILLY CONFIRMED THE REGULARLY  
SCHEDULED MEETING OF THE DEVELOPMENT AND PLANNING  
COMMITTEE THIS TUESDAY AT 4:00 P.M. WHEREIN THEY WILL  
TAKE UP THE MATTER OF THE REZONING FOR ARBOR DRUGS  
AT THE CORNER OF CAVANAUGH AND S. CEDAR.

COUNCILMEMBER ALLEN CONFIRMED THE REGULARLY  
SCHEDULED MEETING OF THE PUBLIC SAFETY COMMITTEE  
TOMORROW AT 1:30 P.M.

COUNCILMEMBER BEAL APOLOGIZED TO RESIDENTS WHO  
HAVE NOT RECEIVED THEIR AGENDAS IN THE MAIL FOR THE  
LAST SEVERAL WEEKS. THEY HAVE HAD SOME MECHANICAL  
DIFFICULTIES, HOWEVER, PEOPLE CAN PREVIEW THE AGENDAS  
BY WATCHING CHANNEL 28 WHERE THEY ARE RUN EVERY  
WEEKEND. SHE ANNOUNCED THAT NEXT WEEK, THE COUNCIL  
WILL HOLD A SPECIAL CEREMONY HONORING RICHARD LETTS,  
AND URGED EVERYONE TO ATTEND. SHE CONFIRMED THE  
REGULARLY SCHEDULED MEETING OF THE COMMITTEE OF THE  
WHOLE THIS THURSDAY AT 4:00 P.M. SHE ASKED CITY  
ATTORNEY SMIERTKA TO REVIEW THE CURFEW PROGRAM.

CITY ATTORNEY SMIERTKA SAID THAT CHILDREN 12 YEARS  
OLD AND YOUNGER CANNOT BE OUT ON PUBLIC STREETS  
BETWEEN THE HOURS OF 10:00 P.M. AND 6:00 A.M.;  
13-16 YEAR OLDS CANNOT BE ON PUBLIC STREETS  
BETWEEN THE HOURS OF 12:00 A.M. AND 6:00 A.M.  
EXCEPTIONS TO THIS RULE ARE, IF THEY ARE ACCOMPANIED  
BY ADULTS, OR, IF THEY ARE ON THEIR OWN PROPERTY OR  
PROPERTY ADJACENT TO THEIR OWN PROPERTY. OFFENDERS  
WILL BE TAKEN TO THE GIER PARK COMMUNITY CENTER  
WHERE THEIR PARENTS WILL BE CALLED. CITATIONS WILL BE  
ISSUED AND ASSESSMENTS OF THE SITUATION WILL BE MADE.  
PARENTS WILL BE RESPONSIBLE FOR ANSWERING THE  
CITATION/VIOLATION NOTICE. IF THEY MEET WITH GATEWAY  
COMMUNITY SERVICES, THE FIRST TICKET CAN BE DISMISSED,  
HOWEVER, CITATIONS FOR SECOND OFFENSES WILL INVOLVE  
MEETINGS WITH AN OFFICER OF THE COURTS.

**MAYOR'S EXECUTIVE ASSISTANT'S  
RESPONSE TO COMMENTS**

MR. WIENER ANNOUNCED THAT EAST SIDE YOUTH BETWEEN THE AGES OF 16-21, WHO LIVE OR ATTEND SCHOOL ON THE EAST SIDE OF LANSING, MAY BE ELIGIBLE FOR SUMMER JOBS AT SPARROW HOSPITAL. THIS PROGRAM IS BEING OPERATED THROUGH THE LANSING SCHOOL SYSTEM. INTERESTED PARTIES MAY CONTACT JODY BENNETT AT 325-6910.

HE STATED HIS APPRECIATION FOR MR. CURTIS "X'S" COMMENTS ABOUT THE CITY'S 150TH BIRTHDAY CELEBRATION. HE THANKED ALL OF THE PARTICIPANTS OF THE CELEBRATION, PARTICULARLY THOSE WHO SUPPORTED THE RICHARD LETTS RECOGNITION CEREMONY ON SATURDAY. A VERY LARGE GROUP CAME OUT TO HONOR MR. LETTS, THIS WAS VERY GRATIFYING, AND HE IS HAPPY THAT THE CITY WILL HAVE ANOTHER OPPORTUNITY TO HONOR MR. LETTS NEXT WEEK.

**ADJOURNED 8:45 P.M.**

**MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JUNE 23, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR  
SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY  
PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
JONES, LEEMAN, LILLY, NOVAK

ABSENT: COUNCILMEMBERS BENAVIDES

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY  
COUNCILMEMBER BEAL

**APPROVAL OF MINUTES**

BY COUNCILMEMBER NOVAK

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF JUNE  
2, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LEEMAN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE  
RULES:

1. FROM COUNCILMEMBER LEEMAN; A RESOLUTION  
REJECTING A SETTLEMENT OFFER IN THE HOPKINS, MILLER,  
SAILOR LAWSUIT

2. FROM COUNCILMEMBER ALLEN; A PETITION CONTAINING  
80 SIGNATURES OF RESIDENTS OPPOSING THE PUBLIC  
IMPROVEMENT ON SCHAFER RD.

3. FROM COUNCILMEMBER NOVAK; APPLICATION FOR  
APPROPRIATION OF COMMUNITY USE FUNDS FROM THE  
LANSING CAPITOL SESQUICENTENNIAL ORGANIZATION

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION  
OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS

COUNCILMEMBER JONES ANNOUNCED THAT THE JUNE 2,  
1997 COUNCIL MEETING, WHEREIN HE IS REPUTED TO HAVE  
MADE COMMENTS COMPARING THE LPD TO NAZI STORM  
TROOPERS, WILL BE RE-RUN ON CHANNEL 28 THIS TUESDAY  
AND THURSDAY. HE INVITED HIS DETRACTORS TO VIEW THE

TAPE TO GET THE TRUE CONTENTS OF HIS REMARKS. HE  
ANNOUNCED THE OPENING OF THE MOORES PARK POOL BY  
JULY 1ST. THE DELAY IN OPENING HAS BEEN CAUSED BY  
EXTENSIVE RENOVATIONS TO THE POOL. THERE WILL BE  
SOCCER GAMES ON TUESDAY AND THURSDAY NIGHT AT  
MOORES PARK. COMSTOCK PARK WILL ALSO OFFER  
REGULAR SOCCER GAMES. INTERESTED PERSONS MAY  
CONTACT CHUCK ALBERT AT FOSTER COMMUNITY CENTER.

COUNCILMEMBER LEEMAN ANNOUNCED A PUBLIC SERVICE  
COMMITTEE MEETING WITH THE RESIDENTS OF E. MT. HOPE  
AVE., WHICH WILL BE HELD AT FENNER ARBORETUM. THEY  
WILL DISCUSS THE RECONSTRUCTION ON MT. HOPE AVE.

COUNCILMEMBER ALLEN SPOKE REGARDING THE DELAY ON  
THE GROUND BREAKING FOR THE SOUTH SIDE COMMUNITY  
CENTER. SHE HAS INCLUDED STATEMENTS ABOUT THE  
SOUTH SIDE COMMUNITY CENTER IN HER CAMPAIGN  
BROCHURES. NOW, UNFORTUNATELY, HER CAMPAIGN  
MATERIAL IS IN ERROR. SHE STATED THE CORRECTION FOR  
THE PUBLIC RECORD, BECAUSE SHE CANNOT AFFORD TO  
PRINT NEW CAMPAIGN BROCHURES.

MAYOR HOLLISTER REPORTED THE FIRST CONCERT IN THE  
PARK THIS WEDNESDAY AT MOORES PARK. THEY WILL HAVE  
THE PORTABLE IN-LINE SKATING RINK AT WOODCREEK  
SCHOOL THIS TUESDAY AND THURSDAY NIGHTS. THE LPD  
MOBILE HEADQUARTERS UNIT WILL BE ON HAND, AS WELL,  
AND WILL ALSO BE AT INGHAM PARK ON TUESDAY JUNE 24,  
AND AT THE BAKER/DONORA PARK ON THURSDAY JUNE 26,  
1997. THEY WILL HAVE TREATS ON HAND FOR THE KIDS,  
ALONG WITH LPD OFFICERS AND REPRESENTATIVES OF THE  
CITY'S SERVICE AGENCIES, WHO WILL BE AVAILABLE TO  
DISCUSS PROBLEMS AND SOLUTIONS WITH PARENTS.

► SPECIAL CEREMONIES:

A. TRIBUTE: RICHARD LETTS

THIS SPECIAL CEREMONY WAS PULLED FROM THE  
AGENDA AT THE DIRECTION OF PRESIDENT BEAL

B. SANDRA CLARK OF THE MICHIGAN HISTORICAL MUSEUM  
MADE A PRESENTATION REGARDING THE "LANSING 1897"  
EXHIBIT GRAND OPENING JUNE 28, 1997. SHE URGED  
EVERYONE TO VISIT THE EXHIBIT, AND THANKED ALL OF THE  
CONTRIBUTORS OF ARTIFACTS AND GIFTS TO THE EXHIBIT.  
THE EXHIBIT DEPICTS LANSING IN 1897, ONE CENTURY AGO,  
WHEN R.E. OLDS STARTED BUILDING CARS HERE. SHE  
DISTRIBUTED COPIES OF THE EXHIBIT POSTER TO  
COUNCILMEMBERS.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON PUBLIC HEARINGS

I. IN CONSIDERATION OF RENEWAL OF THE CITY OF LANSING

# WASTE WATER TREATMENT PLANT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT ONE OF THE REASONS WE NEED THE CSO PROJECT IS BECAUSE OF THE NON-POINT SOURCE POLLUTION CREATED BY THE USE OF LAWN CARE CHEMICALS AND PESTICIDES. THIS TYPE OF POLLUTION ADDS TO THE COST OF TREATING OUR WASTEWATER. SHE ADVOCATED A MORATORIUM ON THE USE OF THESE MATERIALS.

CONNIE DELANEY OF 1827 AURELIUS RD. STATED THAT SHE SUPPORTS THE RENEWAL OF THE NPDES PERMIT FOR THE OPERATION OF THE WASTEWATER TREATMENT PLANT. THIS PERMIT IS REQUIRED BECAUSE THE CITY OF LANSING DISCHARGES INTO THE GRAND RIVER AND PERFORMS INDUSTRIAL PRE-TREATMENT OF WASTEWATER. LLOYD TEETS OF 116 E. ELM ST. OBJECTED TO THE WORDING ON THE AGENDA FOR THIS PUBLIC HEARING. HE DOES NOT OPPOSE THE PERMIT, HE JUST WANTS THE PUBLIC TO BE AWARE THAT THIS IS A FIVE YEAR RENEWAL AND AMENDMENT TO THE CSO PROJECT.

TOM LAFFERTY 1806 W. MICHIGAN URGED COUNCIL TO WAIT FOR THE REPORT FROM THE CSO PROJECT CONSULTANTS, HIRED TO STUDY AND REPORT ON THE EFFICACY OF THE PROJECT, BEFORE RENEWING THIS PERMIT.

2. IN CONSIDERATION OF SPECIAL ASSESSMENTS FOR PUBLIC IMPROVEMENTS AS FOLLOWS: DAVID STREET RECONSTRUCTION, DORIS STREET RECONSTRUCTION, MEL AVE. RECONSTRUCTION, SCHAFER RD. RECONSTRUCTION, WIELAND ST. RECONSTRUCTION

ROGER DAVIS OF 5604 SCHAFER PROTESTED HIS SPECIAL ASSESSMENT. THIS ENTIRE PROJECT WAS STARTED BECAUSE OF A MISUNDERSTANDING CAUSED BY CITY EMPLOYEES WHO TOLD ONE OF THEIR NEIGHBORS THAT HE COULD NOT GET THE ROAD REFINISHED WITHOUT HAVING A CURB AND GUTTER INSTALLED. THE RESULT OF THIS MISUNDERSTANDING, WAS THAT THE RESIDENT BEGAN A PETITION FOR CURB & GUTTER INSTALLATION. HE SUBMITTED A PETITION CONTAINING 75 SIGNATURES OF RESIDENTS PROTESTING THIS SPECIAL ASSESSMENT. THEY WANT THEIR STREET PUT BACK THE WAY IT WAS. HE ASKED RESIDENTS IN ATTENDANCE TO PROTEST THE SPECIAL ASSESSMENT, TO STAND IN A SHOW OF OPPOSITION. APPROXIMATELY 12 PEOPLE STOOD.

HENRY LAMBRECHT OF 1083 MEL AVE. PROTESTED HIS SPECIAL ASSESSMENT FOR THIS PUBLIC IMPROVEMENT. HE EXPRESSED HIS HOPE THAT THE CITY DOES NOT DRIVE HIM OFF OF HIS PROPERTY WITH EVER INCREASING COSTS.

## ► PUBLIC COMMENT ON LEGISLATIVE MATTERS

DIRK SPILLEMACHERS OF 1224 MARIGOLD AVE. IN E. LANSING SAID THAT HE IS AN EMPLOYEE OF THE LANSING CENTER. HE SAID THAT HE HOPES THAT THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY WILL ADOPT A MORE EMPLOYEE FRIENDLY APPROACH.

C.D. RANDALL OF 5614 S. M.L. KING BLVD. THANKED COUNCIL FOR DENYING PRD-01-97. HE REQUESTED THAT THIS PROPERTY BE REZONED AS COMMERCIAL. THERE HAS

BEEN SOME INTEREST IN THE PROPERTY EXPRESSED BY ARBOR DRUGS DUE TO OPPOSITION TO THEIR PROPOSED DEVELOPMENT ON MT. HOPE AT M.L.K.

VALARIE MARSH OF 5735 TAFFY PARKWAY THANKED COUNCILMEMBERS FOR THEIR DENIAL OF PRD.01-97. KELLY PROPER OF 111 E. CAVANAUGH SPOKE IN SUPPORT OF Z-05-97, THE REZONING OF PROPERTY LOCATED AT THE CORNER OF CAVANAUGH AND S. CEDAR FOR ARBOR DRUGS.

JAMES MILLER OF 5461 W. COLUMBIA RD. IN MASON SPOKE REGARDING EMPLOYEE/EMPLOYER RELATIONS AT THE LANSING CENTER. HE SAID THAT LANSING CENTER EMPLOYEES ARE BEING SHUTTLED AROUND FROM THE LANSING CENTER TO OLDSMOBILE PARK. HE PROTESTED THE DISPLACEMENT OF UNION LABORERS IN THIS PROCESS. THEY ARE BEING USED TO PERFORM THE SAME JOBS THAT UNION WORKERS PERFORM AT A HIGHER RATE OF PAY.

ADRIAN SMITH, NO ADDRESS GIVEN, SAID THAT LOCAL #274 MEMBERS HAVE BEEN EXCLUDED FROM PERFORMING STAGE WORK AT THE LANSING CENTER AND AT OLDSMOBILE PARK AND ARE BEING REPLACED, IN SOME CASES, BY LABORERS FROM OUTSIDE OF LANSING.

## LEGISLATIVE MATTERS RESOLUTIONS

THIS RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCIL PRESIDENT BEAL  
BY COUNCILMEMBER BEAL  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL, ON BEHALF OF RESIDENTS OF LANSING AND THE GREATER LANSING AREA, WISHES TO CELEBRATE AND COMMEMORATE THE LIFE AND LEGACY OF RICHARD D. LETTS; AND

WHEREAS, RICHARD'S LIFE IS ITSELF A TESTIMONY TO THE SUCCESS ACHIEVED BY HARD WORK, DEDICATION TO PRINCIPLES OF HONESTY AND INTEGRITY, COMPASSION FOR THE STRUGGLES OF THOSE HE SERVED AND, ABOVE ALL ELSE, A CEASELESS DEVOTION TO CREATING EQUALITY FOR ALL PEOPLE; AND

WHEREAS, RICHARD IS A NATIVE SON OF LANSING, GRADUATING FROM LANSING CENTRAL HIGH SCHOOL IN 1941 WHERE HE EXCELLED IN SPORTS AND WAS ALSO A MEMBER OF THE STUDENT COUNCIL, AFTER WHICH HE SERVED IN THE U.S. ARMY BEFORE RETURNING HOME TO ATTEND MICHIGAN STATE COLLEGE AND THEN ON TO GRADUATE FROM WEST VIRGINIA STATE INSTITUTE IN 1949; AND

WHEREAS, RICHARD SERVED THE CITY OF LANSING FOR 44 YEARS STARTING AS RECREATION DIRECTOR AT LINCOLN COMMUNITY CENTER IN 1949 AND CULMINATING AS DIRECTOR OF THE CITY OF LANSING HUMAN RELATIONS DEPARTMENT INCLUDING DESIGNATION AS EQUAL OPPORTUNITY OFFICER, AFFIRMATIVE ACTION OFFICER, AND A.D.A. COORDINATOR, SERVICE INTERRUPTED ONLY BY A THREE MONTH HIATUS IN 1965 WHEN RICHARD WAS

EMPLOYED BY THE LANSING BOARD OF EDUCATION TO WORK WITH THE FIRST HEAD START PROGRAM IN LANSING; AND

WHEREAS, RICHARD'S AMAZING RECORD OF AFFILIATIONS, MEMBERSHIPS, HONORS, AWARDS AND ACHIEVEMENTS PAYS ONLY HUMBLE TRIBUTE TO A MAN WHOSE WORK LITERALLY CHANGED THE FACE OF THIS CITY, CREATING HOPE AND PROMISE WHERE, FOR MANY, NONE HAD EXISTED; AND

WHEREAS, RICHARD'S WARM, PERSONAL TOUCH AND CONCERN FOR HIS COMMUNITY GAINED HIM THOUSANDS OF FRIENDS AND ADMIRERS, WHO EXPERIENCED HIS GENUINE LOVE OF PEOPLE THROUGH EVERY WORD AND DEED-

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 16TH DAY OF JUNE, 1997 HEREBY HONORS OUR FRIEND AND COLLEAGUE RICHARD D. LETTS ON HIS ACCOMPLISHMENTS IN CREATING A COMMUNITY WHERE EQUALITY AND OPPORTUNITY EXIST AS MORE THAN NOBLE WORDS; AND

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL EXPRESSES THEIR MOST FERVENT DESIRE THAT ALL RESIDENTS OF THIS AREA EMBRACE THE IDEALS AND COMMITMENT EXEMPLIFIED BY RICHARD.

#### RESOLUTION #341

BY COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
RESOLUTION OF INTENT TO ESTABLISH  
A BROWNFIELD REDEVELOPMENT AUTHORITY  
AND DESIGNATION OF ZONE  
CITY OF LANSING  
COUNTIES OF INGHAM AND EATON, MICHIGAN

WHEREAS, THE CITY OF LANSING (THE "CITY") IS AUTHORIZED BY THE PROVISIONS OF ACT 381, PUBLIC ACTS OF MICHIGAN, 1996, AS AMENDED (ACT381), TO CREATE A BROWNFIELD REDEVELOPMENT AUTHORITY; AND

WHEREAS, IT IS NECESSARY TO CONDUCT A PUBLIC HEARING IN CONNECTION WITH THE CONSIDERATION OF SUCH PROPOSED RESOLUTION AS REQUIRED BY ACT 381.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. THE CITY COUNCIL OF THE CITY OF LANSING DETERMINES THAT IT IS IN THE BEST INTEREST OF THE CITY AND ITS RESIDENTS TO CREATE A BROWNFIELD REDEVELOPMENT AUTHORITY PURSUANT TO ACT 381 IN ORDER TO PROMOTE THE REVITALIZATION OF ENVIRONMENTALLY DISTRESSED AREAS IN THE CITY, AND THE CITY COUNCIL HEREBY DECLARES ITS INTENTION TO CREATE AND PROVIDE FOR THE OPERATION OF A BROWNFIELD REDEVELOPMENT AUTHORITY PURSUANT TO ACT 381.
2. THE CITY COUNCIL PROPOSES THAT THE BOUNDARIES OF THE BROWNFIELD REDEVELOPMENT ZONE SUBJECT TO THE JURISDICTION OF THE

BROWNFIELD REDEVELOPMENT AUTHORITY AS PROVIDED IN ACT 381, BE ALL OF THE PROPERTY WITHIN THE JURISDICTIONAL LIMITS OF THE CITY.

3. THERE SHALL BE A PUBLIC HEARING ON MONDAY, THE 28TH DAY OF JULY, 1997, AT 7 O'CLOCK, P.M., PREVAILING EASTERN TIME, IN THE CITY COUNCIL CHAMBERS, 10TH FLOOR, LANSING CITY HALL, LANSING, MICHIGAN IN THE CITY TO CONSIDER ADOPTION BY THE CITY COUNCIL OF A RESOLUTION CREATING A BROWNFIELD REDEVELOPMENT AUTHORITY, DESIGNATING THE BROWNFIELD REDEVELOPMENT ZONE IN WHICH THE BROWNFIELD REDEVELOPMENT AUTHORITY SHALL HAVE JURISDICTION, AND SETTING OUT CERTAIN PROCEDURES IN CONNECTION WITH THE BROWNFIELD REDEVELOPMENT AUTHORITY.
4. THE CITY CLERK IS HEREBY REQUESTED TO PUBLISH SAID NOTICE OF PUBLIC HEARING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY, TWICE BEFORE THE PUBLIC HEARING. EACH PUBLICATION OF THE NOTICE SHALL BE NOT LESS THAN 20 AND NOT MORE THAN 40 DAYS BEFORE THE DATE SET FOR THE PUBLIC HEARING. THE NOTICE SHALL BE PUBLISHED AS A DISPLAY ADVERTISEMENT PROMINENT IN SIZE.
5. ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INSOFAR AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME HEREBY ARE RESCINDED.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #342

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT I

WHEREAS, THE PUBLIC SERVICE DEPARTMENT HAS ESTABLISHED THE NEED FOR CONSTRUCTION OF CURB AND GUTTER AND THE NECESSARY STORM SEWER FACILITIES FOR E. PAULSON STREET FROM EAST STREET TO CEDAR STREET ACCORDING TO THE PETITION (ON FILE IN THE CITY CLERK'S OFFICE) SIGNED BY 61 % OF THE BENEFITTED OWNERS AND BY 57% OF THE BENEFITTED FRONTAGE LOTS; AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT THIS PROPOSED PUBLIC IMPROVEMENT WILL BENEFIT ESPECIALLY PROPERTIES IN THE VICINITY OF THE WORK TO BE DONE AND THAT A BENEFIT DISTRICT PURSUANT TO CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES SHOULD BE ESTABLISHED TO BE SPECIALLY ASSESSED FOR THE PUBLIC IMPROVEMENT;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY DETERMINES IT TO BE OF A PUBLIC NECESSITY TO CONSTRUCT THE FOLLOWING PUBLIC

IMPROVEMENTS: CONSTRUCT CURB AND GUTTER AND THE NECESSARY STORM SEWER FACILITIES IN E. PAULSON STREET FROM EAST STREET TO CEDAR STREET.

BE IT FURTHER RESOLVED THAT THE COST OF THESE IMPROVEMENTS IS TO BE FINANCED BY SPECIAL ASSESSMENTS TO THE BENEFITTED PROPERTY OWNERS, AND THAT THE CITY'S PUBLIC SHARE OF THE PROJECT SHALL BE PAID FROM THE FY98 STREET IMPROVEMENT FUND.

BE IT FINALLY RESOLVED THAT THE DEPARTMENT OF PUBLIC SERVICE IS HEREBY AUTHORIZED TO PREPARE NECESSARY PLANS AND SPECIFICATIONS FOR THESE IMPROVEMENTS, OBTAIN THE NECESSARY EASEMENTS FOR CONSTRUCTION, AND TO DETERMINE THE COST OF SAID PROJECT IN SUFFICIENT DETAIL TO ESTABLISH THE SPECIAL ASSESSMENT DISTRICT AND THE APPLICABLE ASSESSMENT TO THE PROPERTIES IN THE DISTRICT, AND TO FURNISH SAID INFORMATION TO THE MAYOR AND CITY COUNCIL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #343

BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY CITY COUNCIL OF  
THE CITY LANSING

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JUNE 16, 1997 THE CITY COUNCIL HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLE NUMBER PSD 97-A/PSD 97-B/PSD 97-C FOR THE PRINCIPAL SHOPPING DISTRICT PURSUANT CHAPTERS 812 AND 1026 OF THE LANSING CODE OF ORDINANCES.

PROJECT TITLE: PRINCIPAL SHOPPING DISTRICT

CONTIGUOUS BOUNDARIES OF PROPERTIES BENEFITTED:

LARCH STREET AS THE EAST BOUNDARY;  
CAPITOL WASHINGTON AVENUE AS THE WEST  
BOUNDARY; ST. JOSEPH AS THE SOUTH BOUNDARY;  
CLINTON STREET AS THE NORTH BOUNDARY

A ZONE:

11 CENTS FOR FIRST FLOOR  
5 CENTS FOR SECOND  
FLOOR AND ABOVE  
TOTAL: \$335,849.45

B ZONE:

8 CENTS FOR FIRST FLOOR  
3 CENTS FOR SECOND  
FLOOR AND ABOVE  
TOTAL: \$18,907.57

C ZONE:

2 CENTS FOR FIRST FLOOR  
1 CENT FOR SECOND FLOOR  
AND ABOVE

TOTAL: \$29,197.87

OTHER:

PARKING RAMPS: 2 CENTS  
1 CENT FOR SECOND FLOOR  
AND ABOVE  
(ALL ZONES)

PARKING LOTS: 4 CENTS

(A&B ZONE)

2 CENTS (C ZONE)

IND./WHSE: 2 CENTS FOR  
FIRST FLOOR

1 CENT FOR SECOND FLOOR  
AND ABOVE (ALL ZONES)

NOW THEREFOR BE IT RESOLVED THAT SPECIAL ASSESSMENT ROLL NUMBER PSD 97-A/PSD 97-B/PSD 97-C AS PRESENTED, AND AS RETURNED BY THE CITY ASSESSOR, IS HEREBY RATIFIED AND CONFIRMED, AND THE MAYOR IS AUTHORIZED TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING THE CITY TREASURER TO COLLECT SAID TAX. IF SAID PAYMENT IS NOT RECEIVED BY OCTOBER 30, 1997, SAID TAX WILL BE PLACED ON THE DECEMBER TAX ROLL WITHOUT INTEREST OR PENALTY.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #344

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
THAT THE FOLLOWING TRANSFERS BE APPROVED,

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,000	HOME-SALARIES & LONGEVITY 263- 932669-702000-09500	MISC. & OPER. EXPENSE 263-932669-741000- 09500

(ESTABLISHING MISCELLANEOUS AND OPERATING ACCOUNT WITH HOME FUNDS, PER PREVIOUS YEAR PRACTICE. ACCOUNT PAYS FOR ROUTINE OPERATING EXPENSES OF THE PROGRAM AND CONTRACT WITH HOUSING RESOURCE CENTER TO OVERSEE THE DOWN PAYMENT ASSISTANT PART OF THE PROGRAM.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,839.35	HOME-FRIDGE BENEFITS 263-932669-715000- 09400	
\$1,839.35		SALARIES AND LONGEVITY 263-932669-702000- 09400
\$4,000.00		MISC. & OPER. EXPENSE 263-932669-741000- 09400

(CLOSE OUT ADJUSTMENTS FOR FY 94 HOME PROGRAM FUNDS. PROGRAM REQUIREMENTS REQUIRE THAT "OLDEST" FUNDS BE EXPENDED FIRST.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$10,000	ESTIMATED REVENUES-FORFEITURE FUND 265-0-170001-0	MISCELLANEOUS & OPERATING EXPENSE 265-343253-741000-0

(MILLAGE COSTS IN EXCESS OF NORMAL USAGE DURING GRAND JURY INVESTIGATION. REVENUE DETAIL ACCOUNT 265-0-660401. YEAR TO DATE REVENUE EXCEEDING ORIGINAL ESTIMATE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$200	ESTIMATED REVENUES-GENERAL FUND 101-0-170001-0	PARKS & REC.- CONTROL 101-783860-992200-0
\$200	PARKS AND RECR. - CONTROL 101-783860-992200-0	CONTRIBUTIONS 101-783860-741880-0

(DONATIONS FROM FEDERATED GARDEN CLUBS TO BE USED FOR PLANTINGS AT TURNER-DODGE GARDENS. REVENUE DETAIL ACCOUNT 101-0-675003-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,100	STADIUM FUND-FUND BALANCE 234-0-390001-0	OPERATING TRANSFER-LEPFA 234-966000-991570-0

(PURCHASE OF DISPLAY CASES FOR OLD-TIMERS-ALL STAR MEMORABILIA AT OLDSMOBILE PARK.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$100,000	GENERAL FUND-FUND BALANCE 101-0-390001-0	GENERAL ADMIN.-CONTROL 101-173901-992200-0
\$100,000	GEN. ADMIN-CONTROL 101-173901-992200-0	PROFESSIONAL SERVICES 101-173901-743000-0

(STUDY OF BOARD OF WATER & LIGHT, UNDER PROPOSED CONSULTANT AGREEMENT)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #345

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY DESIRES TO FACILITATE THE HOUSING DEVELOPMENT IN THE 1300 BLOCK OF TURNER STREET KNOWN AS "ON THE GRAND" AS APPROVED BY THE LANSING

CITY COUNCIL AS PART OF THE AGREEMENT BETWEEN THE CITY AND THE DEVELOPER FOR THE SALE AND DEVELOPMENT OF THE SITE; AND

WHEREAS, SUBSTANTIAL RUBBLE EXISTS ON THE SITE WHICH WILL RESULT IN A COST OF UP TO \$110,000 TO THE DEVELOPER OVER WHAT WOULD NORMALLY BE THE COST TO CONSTRUCT FOUNDATIONS FOR THE CONDOMINIUM UNITS WITHOUT THE PRESENCE OF RUBBLE; AND

WHEREAS, THE CITY RECEIVES AN ANNUAL REIMBURSEMENT FROM ITS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS AN INDIRECT CHARGE PAYMENT FOR SERVICES AND SUPPORT PROVIDED THROUGH THE GENERAL FUND IN SUPPORT OF THE CDBG PROGRAM.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL COMMIT TO FUNDING THE INCREASED COST TO DEVELOP THE PROJECT IN THE 1300 BLOCK OF TURNER STREET, OR A SUM NOT TO EXCEED \$110,000, FROM REVENUES PAID TO THE APPROPRIATE GENERAL FUND ACCOUNT FROM THE CDBG PROGRAM AS INDIRECT ADMINISTRATIVE CHARGES.

BE IT FINALLY RESOLVED THAT THE ADMINISTRATION IS AUTHORIZED TO INITIATE AND CARRY OUT SUCH TRANSFER AND REPROGRAMMING OF FUNDS, AND ENTER INTO SUCH AGREEMENTS, AS MAY BE NECESSARY TO FACILITATE PAYMENTS FOR THE PROJECT AS REQUIRED.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #346

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PRD-1-97  
S. M.L.KING BLVD.,  
EXTENDING FROM HUGHES TO HAAG RD.  
PLANNED RESIDENTIAL DEVELOPMENT

WHEREAS, MARVIN L. VANEK OF 5722 LE BARON COURT, EAST LANSING, MICHIGAN HAS REQUESTED A PLANNED RESIDENTIAL DEVELOPMENT (PRD) FOR THE PROPERTY LOCATED ON S. M.L.KING BLVD, EXTENDING FROM HUGHES TO HAAG ROAD; AND

WHEREAS, THE PROPOSAL CONTAINS 7.3 ACRES OF LAND AND IS LOCATED IN THE 5500-5800 BLOCK OF S. M.L.KING BLVD, EXTENDING FROM HUGHES TO HAAG ROAD; AND

WHEREAS, THE PROPOSAL WOULD CONSIST OF 105 TOWNHOUSE UNITS ON PROPERTY ZONED "DM-1" RESIDENTIAL; AND

WHEREAS, AT THE PLANNING BOARD PUBLIC HEARING HELD

MARCH 18, 1997, THE APPLICANT SPOKE IN FAVOR OF THE PETITION AND OTHERS SPOKE IN OPPOSITION OR EXPRESSED CONCERNS REGARDING THE PROJECT, INCREASED TRAFFIC, SAFETY, INCREASED DEMAND ON PUBLIC SERVICES, AND THE GENERATION OF NOISE; AND

WHEREAS, A PETITION CIRCULATED IN THE AREA WITH 127 SIGNATURES IN OPPOSITION TO THIS PROPOSAL WAS PRESENTED AT THE PUBLIC HEARING; AND

WHEREAS, THE PLANNING BOARD REVIEWED THE REQUEST ACCORDING TO CHAPTER 1280 OF THE PLANNING AND ZONING CODE AND AT THEIR APRIL 1, 1997 MEETING, FOUND, BASED UPON THE STAFF REPORT, TESTIMONY AND EVIDENCE THAT THE PLANNED RESIDENTIAL DEVELOPMENT CONFORMS TO THE NECESSARY REQUIREMENTS AND UNANIMOUSLY (6-0) RECOMMENDED APPROVAL OF THE REQUEST WITH THE FOLLOWING THREE CONDITIONS:

1. ALL IMPROVEMENTS MEET LOCAL, STATE AND FEDERAL REQUIREMENTS APPLICABLE TO THIS DEVELOPMENT.
2. THE APPLICANT INSTALL SIDEWALKS ALONG THE FRONTAGE OF HAAG AND HUGHES ROAD WITH THE APPROVAL OF THE PUBLIC SERVICE DEPARTMENT.
3. ALL IMPROVEMENTS CONFORM TO THE REQUIREMENTS OF THE APPLICABLE AGENCIES.

AND;

WHEREAS, A PUBLIC HEARING IS NOT REQUIRED BY CITY COUNCIL; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING MOVED (2-1) ON MAY 13, 1997, TO REFER THE MATTER TO THE COMMITTEE OF THE WHOLE WITHOUT A RECOMMENDATION; AND

WHEREAS, THE COMMITTEE OF THE WHOLE, ON JUNE 19, 1997, VOTED UNANIMOUSLY (6-0) TO RECOMMEND DENIAL OF THE PROPOSED PLANNED RESIDENTIAL DEVELOPMENT AS NOT BEING COMPATIBLE WITH ADJACENT USES OF LAND (BOTH COMMERCIAL AND RESIDENTIAL) AND NOT PROMOTING THE USE OF THE LAND IN A SOCIALLY AND ECONOMICALLY DESIRABLE MANNER;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL FOR THE CITY OF LANSING HEREBY DENIES THE REQUEST BY MARVIN L. VANEK FOR A PLANNED RESIDENTIAL DEVELOPMENT PERMIT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### **RESOLUTION #347**

BY THE COMMITTEE OF WAYS & MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY'S ("AUTHORITY") BOARD OF COMMISSIONERS RECOMMENDS THIS FIRST AMENDMENT ("FIRST AMENDMENT") TO THE AGREEMENT FOR OPERATING DOWNTOWN FACILITIES ("OPERATING AGREEMENT"), DATED OCTOBER 7, 1996, BY AND BETWEEN THE CITY OF LANSING ("CITY") AND THE AUTHORITY;

WHEREAS, THE AUTHORITY RECOMMENDS AN "EVENT DEVELOPMENT FUND" WHICH WILL MAKE AVAILABLE THOSE NET PROCEEDS FROM ALL CITY EVENTS WHICH HAVE OCCURRED AT OLDSMOBILE PARK, CAPPED AT \$80,000.00, TO ALLOW FOR THE DEVELOPMENT OF SPECIAL EVENT PROGRAMMING TO MAXIMIZE THE DIVERSIFIED MULTI-PURPOSE UTILIZATION OF THE STADIUM, IN ORDER TO STIMULATE ECONOMIC DEVELOPMENT AND TO FURTHER ESTABLISH DOWNTOWN LANSING AS A CONSUMER DESTINATION;

WHEREAS, THE AUTHORITY RECOMMENDS AND REQUESTS AN OPERATING TRANSFER FROM THE STADIUM FUND TO THE AUTHORITY IN THE AMOUNT OF \$53,330.00;

WHEREAS, THE CITY CONCURS WITH THIS RECOMMENDATION AND REQUEST AND;

NOW THEREFORE, BE IT RESOLVED BY AND BETWEEN THE CITY AND AUTHORITY THAT PARAGRAPH 5D OF THE OPERATING AGREEMENT BE AMENDED IN ITS ENTIRETY TO READ AS FOLLOWS:

"D. OTHER NET REVENUE RELATED TO NON-BASEBALL, NON-TMO EVENTS THAT ARE HELD AT OLDSMOBILE PARK SHALL BE RECEIVED BY THE AUTHORITY AND PASSED THROUGH TO THE CITY IN FISCAL YEAR 1996-97. AUTHORITY MAY ESTABLISH AN "EVENT DEVELOPMENT FUND" FROM SUCH NON-BASEBALL, NON-TMO EVENT REVENUE WHICH THE CITY HAS RECEIVED SINCE APRIL 1, 1996, AND FROM FUTURE NON-BASEBALL, NON-TMO EVENT REVENUE PRIOR TO PASSING SUCH REVENUE THROUGH TO THE CITY; PROVIDED, HOWEVER, THAT THE "EVENT DEVELOPMENT FUND ("FUND") SHALL NOT EXCEED THE AMOUNT OF \$80,000.00 AT ANY TIME; PROVIDED FURTHER, THAT AMOUNTS EXPENDED FROM THE FUND SHALL BE CONSIDERED AN EXPENSE OF THE PARTICULAR CITY EVENT FOR WHICH THEY ARE UTILIZED; AND, FURTHER, TO THE EXTENT REVENUES FROM THE PARTICULAR CITY EVENT ARE AVAILABLE, SUCH AMOUNTS EXPENDED FROM THE FUND SHALL BE REPLACED FROM SUCH REVENUES ONLY.

THE AUTHORITY SHALL DEVELOP POLICIES AND PROCEDURES RELATED TO THE UTILIZATION OF THE FUND AND SHALL MONITOR THE FUND WITH DUE REGARD TO ANY FINANCIAL RISK ASSOCIATED WITH FUND EXPENDITURES."

BE IT FURTHER RESOLVED, ALL REMAINING TERMS, CONDITIONS AND COVENANTS OF THE OPERATING AGREEMENT NOT AMENDED HEREIN SHALL REMAIN IN FULL FORCE AND EFFECT; AND

BE IT FINALLY RESOLVED, THAT COUNCIL AUTHORIZES THE OPERATING TRANSFER FROM THE STADIUM FUND TO THE AUTHORITY IN THE AMOUNT OF \$53,330.00.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #348

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY HAS RECEIVED OFFERS FROM DAVID MILLER AND SAMUEL HOPKINS TO SETTLE CERTAIN PENDING LITIGATION; AND

WHEREAS, THE SENSE OF THE CITY COUNCIL IS THAT THESE OFFERS SHOULD NOT BE ACCEPTED.

NOW THEREFORE BE IT RESOLVED THAT THE OFFERS FROM DAVID MILLER AND SAMUEL HOPKINS TO SETTLE CERTAIN PENDING LITIGATION BE REJECTED.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-05-97; 411 & 415 E. CAVANAUGH RD., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-05-97; 411 & 415 E. CAVANAUGH RD., BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBER BENAVIDES

BY COUNCILMEMBER LILLY

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

#### ORDINANCE #2412

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-5-97, 411 AND 415 E. CAVANAUGH ROAD

PARCEL NUMBERS: PPNs 3301-33-256-111, AND -121.

LEGAL DESCRIPTION: W 80 FT LOTS 34 & 35 JESSOP'S HOME GARDENS SUB, CITY OF LANSING, INGHAM COUNTY MICHIGAN.

FROM "A" RESIDENTIAL DISTRICT TO "F" COMMERCIAL DISTRICT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER LILLY

MARILYNN SLADE, CITY CLERK

#### OTHER BUSINESS

► PUBLIC COMMENT ON CITY RELATED MATTERS

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SAID THAT PEOPLE MAKING PUBLIC COMMENTS SHOULD BE REQUIRED TO RESTRICT THEIR COMMENTS TO CITY RELATED BUSINESS.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. COMMENDED THE MARCH FOR JUSTICE FOR THE WORK THEY ARE DOING TO DEVELOP THE LANGUAGE TO PLACE THE ISSUE OF THE CITIZENS REVIEW BOARD ON THE NOVEMBER ELECTION BALLOT.

ED SIMMER OF 2609 DIER SAID THAT THE DEATH OF EDWARD SWANS MAY HAVE BEEN JUDGED NOT TO BE THE FAULT OF THE LPD, BUT HE WILL STILL CIRCULATE PETITIONS CALLING FOR THE CREATION OF A CITIZENS REVIEW BOARD.

ROOSEVELT ARTIS, JR. OF 1134 GLENN ST. SPOKE REGARDING AN INCIDENT OF VANDALISM OF HIS HOUSE AND THE PHYSICAL ABUSE OF A SMALL CHILD THAT WAS RELATED TO THIS INCIDENT.

LLOYD TEETS OF 116 E. ELM ST. COMMENTED REGARDING AN INTERVIEW OF MAYOR HOLLISTER THAT WAS PRINTED IN THE LANSING CITY LIMIT MAGAZINE.

AMMAHAD SHEKARAKKI OF 902 WILLOW SPOKE REGARDING THE TRAGIC DEATH OF BETTY SHABAZZ TODAY. BETTY, WAS THE WIDOW OF MALCOLM X. THE CITY OF LANSING SHOULD HAVE DONE SOMETHING HONORING HER HUSBAND'S MEMORY LONG BEFORE NOW.

REVEREND LESTER D. STONE INVITED ALL CITIZENS INTERESTED IN SUPPORTING THE CREATION OF A CITIZENS REVIEW BOARD PETITION DRIVE TO ATTEND A MEETING THEY WILL HOLD THIS SUNDAY AT 5:00 P.M. AT THE FRIENDSHIP BAPTIST CHURCH. THEY WILL BEGIN CIRCULATION OF THEIR PETITIONS. HE READ A SECTION OF THE LANGUAGE INCLUDED IN THEIR PETITION FORMS.

DARNELL OLDHAM OF 3815 BERWICK DR. URGED ALL RESIDENTS TO JOIN IN THE EFFORT BY THE MARCH FOR JUSTICE TO PLACE A CHARTER AMENDMENT CALLING FOR THE CREATION OF A CITIZENS REVIEW BOARD ON THE NOVEMBER ELECTION BALLOT. HOW, HE ASKED, CAN THE POLICE DEPARTMENT BE ABOVE THE LAW.

RICHARD LEEPER 200 S. FRANCIS SPOKE REGARDING HIS NEEDS AS AN UNEMPLOYED, POOR PERSON FOR ASSISTANCE FROM THE GOVERNMENT.

ALBERTA JORDAN, NO ADDRESS GIVEN, THANKED THE COMMUNITY FOR THEIR SUPPORT.

FRANK CURTIS "X" SPOKE REGARDING SOMETHING CALLED "THE GREAT AMERICAN COVER-UP". HE REFERRED TO INCIDENTS AT WACO, RUBY RIDGE, SPARTY'S NIGHT CLUB, AND LANSING CITY HALL.

JACKIE PORTER-LILLY OF 732 SANDLYN, AN EMPLOYEE OF THE CITY FINANCE DEPARTMENT, ASKED WHAT CAPACITY DOUG RUBLEY IS CURRENTLY SERVING IN. IS HE THE INTERIM DIRECTOR OF THE PUBLIC SERVICE DEPARTMENT, OR IS HE THE DEPUTY DIRECTOR OF FINANCE. SHE RELATED A LABOR RELATED PROBLEM SHE IS HAVING IN THE FINANCE DEPARTMENT. SHE WAS CONFRONTED BY MR. RUBLEY IN

HIS OFFICIAL CAPACITY WITH REGARD TO THIS PROBLEM WITHOUT BENEFIT OF REPRESENTATION BY HER UNION. HE FAILED TO ADVISE HER AS TO WHAT CAPACITY HE WAS ACTING IN AND DID NOT GIVE HER ANY OPPORTUNITY TO UTILIZE HER UNION STEWARD.

JOYCE TEDDER OF 806 W. MICHIGAN STATED HER DISAGREEMENT WITH THE JUDGEMENT REGARDING THE DEATH OF EDWARD SWANS. THIS CITY NEEDS A CITIZENS REVIEW BOARD, BUT NOT JUST FOR THE POLICE DEPARTMENT, FOR ALL DEPARTMENTS OF CITY GOVERNMENT.

DAN LIEBMAN OF 2600 S. DEERFIELD SAID THAT HE IS AN ATTORNEY REPRESENTING JAMIL EID OF 2609 DEERFIELD. HE MADE SEVERAL ALLEGATIONS OF IMPROPRIETIES HE FEELS WERE COMMITTED IN THE INVESTIGATION OF MR. EID'S ASSAULT.

DANIEL WILLMAN OF 2600 DEERFIELD SPOKE REGARDING THE LAWSUIT FILED AGAINST THE CITY BY JAMIL EID, AND THE LAWSUIT FILED AGAINST THE CITY INVOLVING THE MELLING FORGING INCIDENT.

RICHARD COO OF 310 SEYMOUR THANKED MAYOR HOLLISTER FOR HELPING HIM AND SAID THAT HE MET WITH A LAWYER FOR THE LANSING HOUSING COMMISSION.

CHARLENE DECKER OF 2711 PLEASANT GROVE SPOKE REGARDING THE UNION RALLY THAT FOLLOWED THE GASSING INCIDENT AT MELLING FORGING. SHE STATED HER CONCERN THAT THIS ISSUE WILL BE SWEEPED UNDER THE CARPET. COUNCILMEMBERS HAVE TO BE RESPONSIBLE INDIVIDUALS, BECAUSE THEY ARE THE ELECTED REPRESENTATIVES OF THE PEOPLE.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #349 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-5-97, 411 AND 415 EAST CAVANAUGH ROAD, FROM "A" RESIDENTIAL TO "IF" COMMERCIAL DISTRICT.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED, AND THAT THE Z-5-97 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

## CITY OFFICERS & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:



CLASS C, ADD DANCE PERMIT; K.L.C.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

A. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

B. LETTER FROM THE CITY CLERK SUBMITTING THE PROPOSED SCHEDULE FOR CITY COUNCIL MEETINGS FOR THE SECOND 6 MONTHS OF 1997

REFERRED TO THE COMMITTEE OF THE WHOLE

C. LETTER FROM THE CITY CLERK SUBMITTING COMPLAINT #1997-01 AND REQUEST FOR INVESTIGATION BY THE BOARD OF ETHICS

THIS ITEM WAS PULLED FROM THE AGENDA AT THE REQUEST OF THE CITY CLERK

3. LETTER FROM THE BOARD OF WATER & LIGHT REQUESTING THAT PROPERTY LOCATED AT 4323 W. SAGINAW ST. BE DECLARED AS SURPLUS PROPERTY

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

4. LETTERS FROM THE MAYOR RE:

A. CREATION OF A HISTORIC DISTRICT STUDY COMMITTEE FOR PROPERTIES LOCATED AT 525, 531 & 535 S. CAPITOL AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

B. TRANSFER OF FUNDS: PLANNING & NEIGHBORHOOD DEVELOPMENT DEPT., PUBLIC SERVICE DEPT.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. PUBLIC IMPROVEMENT IV; MEL AVE., WIELAND ST., DAVID ST., DORIS ST., SCHAFER RD.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. ACCEPTANCE & DEDICATION OF STREET FOR THE PUBLIC USE AND PURPOSE; EXPRESS CRT.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

### COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM MARK SARTOR OF 312 N. HAYFORD REQUESTING INSTALLATION OF A BIKE LANE ON KALAMAZOO TO ALLOW BICYCLISTS TO EASY ACCESS TO THE RIVER TRAIL

REFERRED TO THE MAYOR, THE COMMITTEE ON PUBLIC SAFETY AND THE TRAFFIC BOARD

2. LETTER FROM TIMOTHY & ALICE MATHEWS OF 231 VILLAGE DR. PROTESTING A PROPOSED HOUSING DEVELOPMENT PROJECT BETWEEN K-MART AND GARDNER

MIDDLE SCHOOL

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. PETITION SIGNED BY 14 RESIDENTS REQUESTING REINSTATEMENT OF THE SEPARATE METER SYSTEM FOR LAWN SPRINKLERS

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4. LETTER FROM UAW LOCAL 2256 PROPOSING THAT THE CITY OF LANSING DEVELOP AND OPERATE THEIR OWN ASPHALT FACILITY

REFERRED TO THE MAYOR

5. LETTER FROM THE INGHAM INTERMEDIATE SCHOOL DISTRICT SUBMITTING THEIR 1997 SUMMER TAX LEVY AND TAX RATE REQUEST FORM

RECEIVED AND PLACED ON FILE

6. LETTERS FROM CHRISTINE TIMMON RE:

- A MORATORIUM ON THE USE OF LAWN FERTILIZERS TO REDUCE NON-POINT SOURCE POLLUTION

- MISUSE OF PUBLIC COMMENT TIME BY SPEAKERS VERBALLY ASSAULTING THE MAYOR, COUNCILMEMBERS AND OTHER CITIZENS AND MAKING OTHER COMMENTS THAT ARE NOT RELATED TO CITY MATTERS

REFERRED TO THE COMMITTEE OF THE WHOLE

7. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES, LIQUOR CONTROL COMMISSION TO THE FINE HOST CORPORATION OF DENIAL OF THEIR REQUEST FOR A TEMPORARY OUTDOOR SALE LICENSE FOR JUNE 12, 13, 14, AND 15, 1997

RECEIVED AND PLACED ON FILE

8. STORMWATER ENTERPRISE APPEAL SUBMITTED BY ROBERT LEE PRAWDZIK OF 3131 W. MT. HOPE

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE PUBLIC SERVICES DEPARTMENT

9. LETTERS FROM WILLIAM BURT BURLESON RE:

- REQUEST FOR REASSIGNMENT/ADMINISTRATIVE LEAVE
- NOTICE OF DEMAND FOR RETRACTION PURSUANT TO MCLA 600.2911, ET SEQ.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

10. SLU-06-97, 1700 BLOCK OF W. JOLLY RD., SPECIAL LAND USE PETITION FILED BY MICHAEL MARKEY TO ALLOW FOR CONSTRUCTION OF A CHURCH FACILITY

REFERRED TO THE MAYOR AND THE PLANNING BOARD

11. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION OF CONTRACT #96-5441 AWARDED FOR CONSTRUCTION ALONG HIGHWAY I-496, AND THE LOCAL GOVERNMENT SHARE OF THE PROJECT ESTIMATED AT \$33,986.09 WHICH IS \$11,386.09 GREATER THAN THE BID ESTIMATE

RECEIVED AND PLACED ON FILE

12. LETTERS FROM DARRYL BURGESS RE:

- REQUEST FOR ENFORCEMENT OF SECTION 8-403.6
- REQUEST FOR INVESTIGATION TO DETERMINE IF CIVIC CENTER PROPERTY IS SUBJECT TO THE PROVISIONS OF SECTION 8-403.6
- COPY OF A RESPONSE FROM THE PARKS & RECREATION DEPARTMENT TO A FOIA INQUIRY BY MR. BURGESS

REFERRED TO THE MAYOR

13. LETTER FROM ANNE PAQUET HOWARD AND KATHI RUBLE, NO ADDRESS GIVEN, PROTESTING PRD-02-97, CEDAR PARK APARTMENTS, A PROPOSED HOUSING DEVELOPMENT PROJECT LOCATED ON JOLLY RD. BETWEEN CEDAR AND SKOOG CT.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

14. LETTER FROM BOB KLETKE OF 1319 CHESTER RD. REGARDING THE POOR QUALITY OF ASPHALT WORK DONE ON CHESTER RD., AND REQUESTING THAT THE CONTRACTOR BE REQUIRED TO RE-PAVE THE ROAD

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

15. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; A PETITION CONTAINING 80 SIGNATURES OF RESIDENTS OPPOSING THE PUBLIC IMPROVEMENT ON SCHAFER RD.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

16. SUSPENSION ITEM FROM COUNCILMEMBER NOVAK; APPLICATION FOR APPROPRIATION OF COMMUNITY USE FUNDS FROM THE LANSING CAPITOL SESQUICENTENNIAL ORGANIZATION

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BAUER ANNOUNCED THAT A DELEGATION OF

PARTICIPANTS OF THE RECENT ST. PETERSBURG RUSSIA SISTER CITY EXPEDITION WILL BE APPEARING AND MAKING A PRESENTATION REGARDING THEIR EXPERIENCES IN RUSSIA. THE HOSPITALITY AND WARMTH EXTENDED TO THEM WAS TRULY AMAZING. SHE URGED EVERYONE TO TAKE ADVANTAGE OF THIS PROGRAM. IT IS AN ACTIVITY THAT IS HELD EVERY TWO YEARS. ON ALTERNATE YEARS THE CITY HOSTS VISITORS FROM ST. PETERSBURG. THIS WAS AN EXPERIENCE THAT SHE WILL NEVER FORGET, IT MADE HER APPRECIATE HER OWN COUNTRY, AND PARTICULARLY, THE CITY OF LANSING.

COUNCILMEMBER LILLY SAID THAT THE ANNUAL OLD TIMER'S BASEBALL ASSOCIATION ALL STAR GAME WAS HELD YESTERDAY. BETWEEN THESE TWO GAMES, THEY DEDICATED THE HALL OF HONOR IN OLDSMOBILE PARK. HE DISPLAYED A PLAQUE THAT WILL BE AWARDED TO THE DIAMOND CLASSIC CHAMPIONS AND WILL BE DISPLAYED IN THE TROPHY CASE AT THE SOUTHWEST ENTRANCE TO THE STADIUM. THEY HONORED FIVE STATE CHAMPIONS WITH PLAQUES THAT WILL BE DISPLAYED IN THE CASE, AS WELL AS A PLAQUE HONORING THE BOB GROSS MEMORIAL SERVICE AWARD WINNING INDIVIDUAL. THIS AWARD IS GIVEN TO INDIVIDUALS DEDICATED TO THIS SPORT WITHIN THE CITY OF LANSING AND THE STATE OF MICHIGAN. THEY INTEND TO EXPAND THE HALL OF HONOR TO HONOR BASEBALL SUCCESSES THROUGHOUT MID-MICHIGAN, AS WELL AS LUGNUT PLAYERS WHO HAVE ADVANCED TO THE MAJOR LEAGUE. EVENTUALLY, THE HALL WILL HONOR FEMALE SOFTBALL TEAMS.

COUNCILMEMBERS JONES ACCUSED THE STATE JOURNAL OF RESORTING TO DIRTY POLITICS TO DISHONOR CERTAIN COUNCILMEMBERS. THIS ISSUE HAS BEEN REFERRED TO HIS ATTORNEY.

COUNCILMEMBER LEEMAN THANKED COUNCILMEMBER LILLY AND STAFF MEMBER TINA GALLENTI FOR FOLLOWING UP ON THE PLAQUES FOR THE ALL STAR GAMES. HE CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE PUBLIC SERVICE COMMITTEE THIS WEDNESDAY REGARDING THE CSO CONSULTANT.

COUNCILMEMBER BEAL ANNOUNCED THE CANCELLATION OF THE COMMITTEE OF THE WHOLE MEETING FOR THIS WEEK, BECAUSE OF A LACK OF BUSINESS.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER HAD NO COMMENTS.

**ADJOURNED 9:15 P.M.  
MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JUNE 30, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR  
SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY  
PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY  
COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF JUNE  
9, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE  
RULES:

1. FROM COUNCILMEMBER LILLY; INTRODUCTION OF  
REZONING, Z-03-97, 1101 & 1119 W. WILLOW ST., AND  
SETTING OF A PUBLIC HEARING FOR JULY 28, 1997

2. FROM COUNCILMEMBER LILLY; A REQUEST THAT THE  
RULES BE SUSPENDED TO ALLOW HIM TO PULL ITEM VIII-5B,  
RESOLUTION FROM THE DEVELOPMENT & PLANNING  
COMMITTEE ESTABLISHING A HISTORIC DISTRICT STUDY  
COMMITTEE FOR PROPERTIES LOCATED IN TO 500 BLOCK OF  
S. CAPITOL

3. FROM COUNCILMEMBER ALLEN; A LETTER FROM DONALD  
COTE OF 100 W. SYRINGA DR. REGARDING THE CITY'S  
POLICY ON POT HOLE REPAIR AND EXISTING POT HOLES ON  
SYRINGA DR.

4. FROM COUNCILMEMBER ALLEN; A LETTER FROM DONALD  
COTE OF 100 W. SYRINGA DR. REQUESTING A FEE WAIVER  
FOR THE INSTALLATION OF A VACATION BIBLE SCHOOL SIGN  
AT CHRIST UNITED METHODIST CHURCH AT 517 W. JOLLY  
RD.

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION  
OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS

COUNCILMEMBER JONES ANNOUNCED A REPLAY OF THE JUNE  
2 CITY COUNCIL MEETING TOMORROW, JULY 1ST, AND AGAIN  
ON THURSDAY, JULY 3, 1997 AT 6:30 P.M. THIS IS THE  
MEETING AT WHICH THE MELLING FORGING TEAR GAS  
INCIDENT WAS DISCUSSED. HE SAID THAT HE HOPES THAT  
MAGIC JOHNSON RECEIVES AS MUCH CONSIDERATION OF HIS  
PROPOSAL FOR THE DEVELOPMENT OF THE OTTAWA ST.  
POWER PLANT AS DID GENERAL MOTORS. THE MOORES  
PARK POOL WILL BE OPEN BY JULY 4TH.

COUNCILMEMBER ALLEN ANNOUNCED EVENTS CONNECTED TO  
THE CITY OF LANSING JULY 4TH CELEBRATION. THE PARADE  
IS AT 9:00 A.M., A BBQ WILL FOLLOW AT 1:00 P.M. AT  
RIVERFRONT PARK FOLLOWED BY THE APPLE PIE EATING  
CONTEST, A CONCERT BY THE LANSING CONCERT BAND AND  
THE FIREWORKS AT 10:00 P.M. SHE URGED EVERYONE  
TO GO AND SEE "SHE'S YOUR MOTHER" AT RIVERWALK  
THEATRE.

COUNCILMEMBER BAUER ANNOUNCED A MEETING OF THE  
COMMITTEE ON INTERGOVERNMENTAL RELATIONS TOMORROW  
AT 4:00 P.M. THIS IS A JOINT MEETING OF THE LANSING  
SCHOOL DISTRICT, IN WHICH THEY WILL DISCUSS WAYS TO  
POOL AND MAXIMIZE LIBRARY RESOURCES.

DAVID WIENER ANNOUNCED THAT THE ETHICS MANUAL FOR  
CITY EMPLOYEES HAS BEEN DISTRIBUTED TO ALL EMPLOYEES  
AND IS AVAILABLE TO MEMBERS OF THE PUBLIC. HE  
ANNOUNCED THAT THE DEDICATION OF THE FLOWER GARDEN  
IN FRONT OF OLDSMOBILE PARK WILL BE DEDICATED THIS  
WEDNESDAY, JULY 2, 1997, IN A SPECIAL CEREMONY THAT  
WILL TAKE PLACE PRIOR TO THE GAME. THE BOARD OF  
WATER & LIGHT HAS ASKED HIM TO ANNOUNCE THE OPENING  
OF A NEW PARK ACROSS FROM THE BASEBALL STADIUM.  
THIS PARK SITS ALONG THE WATER RESERVOIR AND OPEN TO  
THE PUBLIC. PLEASE TAKE ADVANTAGE OF IT.

► SPECIAL CEREMONIES

A. COUNCIL PRESIDENT BEAL AND COUNCILMEMBER  
BENAVIDES PRESENTED A RESOLUTION OF TRIBUTE TO  
RICHARD LETTS. ALONG WITH A \$500 CONTRIBUTION FOR  
THE RICHARD LETTS FOUNDATION. MR. LETTS ADDRESSED  
COUNCILMEMBERS, THANKING THEM FOR THE TRIBUTE TO HIS  
PUBLIC SERVICE CAREER. HE EXPRESSED HIS CONCERN  
OVER WHAT HE TERMED "WEAKENING IN THE AREA OF  
RESPONSIBLE HUMAN RELATIONS". MARY LOU PITMAN OF  
THE RICHARD LETTS FOUNDATION ANNOUNCED A LUNCHEON  
IN MR. LETTS' HONOR AT THE HOLIDAY INN. SHE, ALONG  
WITH THE FOLLOWING MEMBERS OF THE COMMUNITY  
COMMENDED MR. LETTS FOR HIS CONTRIBUTIONS TO  
LANSING; GEORGIA BROWN, E.L. LLOYD, DICK FOX, DUANE  
VERNON.

B. COUNCILMEMBER NOVAK PRESENTED A RESOLUTION OF TRIBUTE HONORING THE LATE PHILLIP ALBER TO CAROL WOODS OF NEIGHBORHOOD WATCH #120 AND MEMBERS OF THE GENESEE NEIGHBORHOOD ASSOCIATION. CITY CLERK, MARILYNN SLADE ANNOUNCED THAT MR. ALBER WAS A PRECINCT CHAIRPERSON FOR THE CITY CLERK'S OFFICE AT THE ELECTION POLLS AND WILL BE SORELY MISSED BY HER OFFICE.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### **► PUBLIC COMMENT ON PUBLIC HEARINGS**

1. Z-07-97, 315 E. JOLLY RD., PETITION FOR REZONING FROM "F" COMMERCIAL, "G-2" WHOLESALE, AND "U" PARKING DISTRICTS TO "F" COMMERCIAL DISTRICT

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

#### **► PUBLIC COMMENT ON LEGISLATIVE MATTERS**

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SPOKE IN SUPPORT OF THE APPROPRIATION OF COMMUNITY USE FUNDS FOR NEW AND EMERGING CAREERS FOR YOUNG WOMEN. IT IS GREAT THAT CITY COUNCIL SUPPORTS THIS ENDEAVOR, HOWEVER, IT WAS DISHEARTENING FOR HER TO SEE THE LOW NUMBER OF BLACK PARTICIPANTS IN ATTENDANCE AT THIS EVENT. SHE STATED HER OBJECTION TO THE USE OF NITRATES IN THE FERTILIZATION OF LAWNS. THIS IS THE PRIMARY CAUSE OF NON-POINT SOURCE POLLUTION (NPSP), WHICH IS A CONTRIBUTING FACTOR IN THE COST OF WASTEWATER TREATMENT.

LLOYD TEETS OF 116 E. ELM ST. CRITICIZED THE AMENDED PROJECT PLAN FOR THE CSO PROJECT. HOW CAN THE COST OF CONSTRUCTING A NEW PUMPING STATION, WHICH WAS NOT INCLUDED IN THE ORIGINAL PROJECT, HAVE NO IMPACT ON THE ULTIMATE COST OF THE PROJECT AS A WHOLE? THIS IS A TEN MILLION DOLLAR PUMPING STATION. THIS MEANS THAT THE ENTIRE PROJECT WAS OVER ESTIMATED. THIS IS THE TAX PAYER'S MONEY.

DARNELL OLDHAM, SR. OF 3815 BERWICK STATED THAT HE HAS FILED A WRITTEN APPEAL, AS WELL AS A CLAIM FOR THE REFUND OF HIS STORMWATER ENTERPRISE FEES. HE HAS ADDRESSED COUNCIL ON THIS MATTER REPEATEDLY. HE DEMANDED AN ANSWER TO HIS APPEALS AND THE RETURN OF HIS MONEY, WITH INTEREST INCLUDED. NO ONE HAS RESPONDED TO HIS APPEALS IN WRITING.

CITY ATTORNEY SMIERTKA STATED THAT HE HAS TOLD MR. OLDHAM THAT HIS APPEALS ARE IN THE CLAIMS REVIEW PROCESS, BECAUSE THEY DO NOT QUALIFY FOR THE APPEALS PROCESS UNDER THE TERMS OF THE ORDINANCE. MR. OLDHAM DEMANDED A WRITTEN VERIFICATION OF THIS INFORMATION FROM MR. SMIERTKA.

TOM LAFFERTY OF 1806 W. MICHIGAN AVE. SAID THAT HE DOES NOT BELIEVE IT TO BE NECESSARY FOR THE CITY TO

CONSTRUCT ANOTHER PUMPING STATION. THEY SHOULD BE ABLE TO USE THE OLD SITE AND SAVE THE COST OF ACQUISITION OF PROPERTY AND CONSTRUCTION FOR THE NEW STATION. HE STATED A COMPLAINT ABOUT THE STREET SWEEPERS NOT FUNCTIONING PROPERLY. THEY ARE THROWING DUST 10 FEET INTO THE AIR WHICH ONLY CAUSES RESPIRATORY PROBLEMS FOR PEOPLE.

### **LEGISLATIVE MATTERS RESOLUTIONS**

#### **RESOLUTION #350**

BY COUNCILMEMBER BEAL  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL, ON BEHALF OF RESIDENTS OF LANSING AND THE GREATER LANSING AREA, WISHES TO CELEBRATE AND COMMEMORATE THE LIFE AND LEGACY OF RICHARD D. LETTS; AND

WHEREAS, RICHARD'S LIFE IS ITSELF A TESTIMONY TO THE SUCCESS ACHIEVED BY HARD WORK, DEDICATION TO PRINCIPLES OF HONESTY AND INTEGRITY, COMPASSION FOR THE STRUGGLES OF THOSE HE SERVED AND, ABOVE ALL ELSE, A CEASELESS DEVOTION TO CREATING EQUALITY FOR ALL PEOPLE; AND

WHEREAS, RICHARD IS A NATIVE SON OF LANSING, GRADUATING FROM LANSING CENTRAL HIGH SCHOOL IN 1941 WHERE HE EXCELLED IN SPORTS AND WAS ALSO A MEMBER OF THE STUDENT COUNCIL, AFTER WHICH HE SERVED IN THE U.S. ARMY BEFORE RETURNING HOME TO ATTEND MICHIGAN STATE COLLEGE AND THEN ON TO GRADUATE FROM WEST VIRGINIA STATE INSTITUTE IN 1949; AND

WHEREAS, RICHARD SERVED THE CITY OF LANSING FOR 44 YEARS STARTING AS RECREATION DIRECTOR AT LINCOLN COMMUNITY CENTER IN 1949 AND CULMINATING AS DIRECTOR OF THE CITY OF LANSING HUMAN RELATIONS DEPARTMENT INCLUDING DESIGNATION AS EQUAL OPPORTUNITY OFFICER, AFFIRMATIVE ACTION OFFICER, AND A.D.A. COORDINATOR, SERVICE INTERRUPTED ONLY BY A THREE MONTH HIATUS IN 1965 WHEN RICHARD WAS EMPLOYED BY THE LANSING BOARD OF EDUCATION TO WORK WITH THE FIRST HEAD START PROGRAM IN LANSING; AND

WHEREAS, RICHARD'S AMAZING RECORD OF AFFILIATIONS, MEMBERSHIPS, HONORS, AWARDS AND ACHIEVEMENTS PAYS ONLY HUMBLE TRIBUTE TO A MAN WHOSE WORK LITERALLY CHANGED THE FACE OF THIS CITY, CREATING HOPE AND PROMISE WHERE, FOR MANY, NONE HAD EXISTED; AND

WHEREAS, RICHARD'S WARM, PERSONAL TOUCH AND CONCERN FOR HIS COMMUNITY GAINED HIM THOUSANDS OF FRIENDS AND ADMIRERS, WHO EXPERIENCED HIS GENUINE LOVE OF PEOPLE THROUGH EVERY WORD AND DEED.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 16TH DAY OF JUNE, 1997 HEREBY HONORS OUR FRIEND AND COLLEAGUE RICHARD D. LETTS ON HIS ACCOMPLISHMENTS IN CREATING A COMMUNITY WHERE EQUALITY AND OPPORTUNITY EXIST AS

MORE THAN NOBLE WORDS; AND

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL EXPRESSES THEIR MOST FERVENT DESIRE THAT ALL RESIDENTS OF THIS AREA EMBRACE THE IDEALS AND COMMITMENT EXEMPLIFIED BY RICHARD.

BY COUNCILMEMBER BEAL

CARRIED UNANIMOUSLY

**RESOLUTION #351**

BY COUNCILMEMBER NOVAK  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, WITH DEEPEST REGRETS THE LANSING CITY COUNCIL SAYS "GOODBYE" TO PHILLIP K. ALBER WHO PASSED AWAY ON APRIL 19, 1997, AFTER DEVOTING 59 YEARS TO HIS COMMUNITY CITY AND COUNTRY; AND

WHEREAS, PHIL ALBER WAS BORN IN LANSING ON APRIL 22, 1920, ATTENDED AND GRADUATED FROM ST. MARY'S IN 1938 AND WITH THE EXCEPTION OF MILITARY SERVICE WITH THE 9TH ARMORED DIVISION IN EUROPE DURING WORLD WAR II WHERE HE RECEIVED NUMEROUS DECORATIONS INCLUDING THE PURPLE HEART AND BRONZE STAR, RESIDED FOR NEARLY 77 YEARS IN DOWNTOWN LANSING; AND

WHEREAS, AFTER MILITARY SERVICE HE RETURNED TO LANSING AND THE LANSING FIRE DEPARTMENT WHERE HE ULTIMATELY SERVED AS FIRE MARSHALL ASSISTING IN RE-WRITING THE CITY FIRE PREVENTION CODE AND DEVELOPING AND PRESENTING FIRE INVESTIGATION AND PREVENTION PROGRAMS TO LANSING PERSONNEL AND AT COLLEGES AND UNIVERSITIES THROUGHOUT THE MID-WEST; AND

WHEREAS, PHIL'S COMMUNITY INVOLVEMENT INCLUDED WORKING TO ESTABLISH GENESEE NEIGHBORHOOD WATCH #120 AND ASSISTING IN PUBLISHING AND DISTRIBUTING THE MONTHLY NEWSLETTER TO OVER 400 HOMES, SERVING AS SCOUTMASTER OF TROOP #8 OF THE CHIEF OKEMOS COUNCIL EARNING HIM THE ST. GEORGE MEDAL IN CATHOLIC SCOUTING, SERVING AS A CHARTER DOCENT AT THE MICHIGAN STATE HISTORICAL MUSEUM AND AS A "TEACHING GUIDE" AT THE WALKER TAVERN IN IRISH HILLS AND, AS A LIFELONG MEMBER OF ST. MARY CATHEDRAL PARISH, SERVING AS A LAY MINISTER OF THE WORD AND AS A LAY MINISTER OF THE EUCHARIST;

NOW, THEREFORE, BE IT RESOLVED, THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 30TH DAY OF JUNE 1997, DOES HEREBY COMMEND AND HONOR THE LIFE OF MR. PHILLIP K. ALBER FOR HIS SERVICE TO HIS COMMUNITY AND COUNTRY. THANK YOU PHIL, YOU WILL BE MISSED.

BY COUNCILMEMBER NOVAK

CARRIED UNANIMOUSLY

**RESOLUTION #352**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF

THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 21, 1997, AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF OPPOSING AND/OR APPROVING THE PROPOSED SPECIAL LAND USE PERMIT BY HARRY HEPLER, SLU-2-97, FOR PROPERTY LOCATED AT 725 E. SAGINAW ST., 180 RESIDENTIAL UNITS IN "I" IND. DISTRICT.

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

**RESOLUTION #353**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JUNE 24, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF TERRY CAILLOUETTE, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-23-452-031-3; COMMONLY KNOWN AS 1725 FIDELITY, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-23-452-031-3 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF TERRY CAILLOUETTE WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-23-452-031-3 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-23-452-031-3 BE REDUCED BY 100% AND THAT REIMBURSEMENT BE GENERATED BY THE ADMINISTRATION; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY TERRY CAILLOUETTE AS THE 1995 STORMWATER

ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-23-452-031-3 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #354

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JUNE 24, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF GEORGE VAN LANCKER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-26301-261-0; COMMONLY KNOWN AS 2818 MANLEY DRIVE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-26-301-261-0 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF GEORGE VAN LANCKER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-26-301-261-0 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-26-301-261-0 BE REDUCED BY 25% AND THAT REIMBURSEMENT BE GENERATED BY THE ADMINISTRATION; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY GEORGE VAN LANCKER AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-26-301-261-0 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #355

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JUNE 24, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF GEORGE BROADBENT, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-26-326-191-1; COMMONLY KNOWN AS 3215 MANLEY DRIVE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-26-326-191-1 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF GEORGE BROADBENT WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-26-326-191-1 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 25% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-26-326-191-1 BE REDUCED BY 25% AND THAT REIMBURSEMENT BE GENERATED BY THE ADMINISTRATION; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY GEORGE BROADBENT AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-26-326-191-1 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #355A

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BENCHMARK MORTGAGE FILED A CLAIM AGAINST THE CITY IN AN APPROXIMATE AMOUNT OF \$321.60 FOR REIMBURSEMENT OF THE SPECIAL ASSESSMENT FOR THE REMOVAL THE BOARD-UP OF PROPERTY LOCATED AT 4918 DELBROOK AVENUE, LANSING, MICHIGAN;

WHEREAS, THE CITY ATTORNEY'S STAFF RECOMMENDATION WAS TO GRANT THIS CLAIM;

WHEREAS, THE CLAIMS REVIEW COMMITTEE'S RECOMMENDATION WAS TO DENY THIS CLAIM;

WHEREAS, THE CLAIM WAS APPEALED TO THE GENERAL SERVICES COMMITTEE. THE STAFF RECOMMENDATION WAS

REVIEWED BY THE COMMITTEE ON GENERAL SERVICES;

WHEREAS, THE COMMITTEE DETERMINED THAT THE PROCEDURAL ACTIONS DICTATED BY THE LANSING HOUSING CODE WERE TAKEN AND DOCUMENTED BY THE BUILDING SAFETY DIVISION AND THE CITY HAS NO LEGAL OBLIGATION TO REIMBURSE THE CLAIMANT FOR THE SPECIAL ASSESSMENT;

WHEREAS, THE COMMITTEE RECOMMENDS THAT THE CLAIM BE DENIED 2-O; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO DENY THE CLAIM OF BENCHMARK MORTGAGE; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS REQUESTED TO NOTIFY THE CITY ATTORNEY'S OFFICE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #356**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$20,000 IN THE FY97 GENERAL FUND BUDGET TO THE COMMUNITY PROMOTIONS ACCOUNT, FOR THE PURPOSE OF ASSISTING WITH THE EXPENSES OF LARGE COMMUNITY-ORIENTED EVENTS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH EXPENSES IN THE AMOUNT OF \$250.00, COVERING EXPENSES OF BRING THE EVENT TO THE COMMUNITY, FROM THE MICHIGAN WOMEN'S STUDIES ASSOCIATION AND THE MICHIGAN WOMEN'S HISTORICAL CENTER AND HALL OF FAME FOR THE TEA IN THE GARDEN EVENT ON JULY 20, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY AUTHORIZES CHARGES IN THE AMOUNT OF \$250.00 TO ACCOUNT #101-173901-741289-O; AND

AND BE IT FURTHER RESOLVED THIS PAYMENT SHALL BE MADE BY MEANS OF AN INTERDEPARTMENTAL VOUCHER TO BE GENERATED BY THE LANSING FIRE DEPARTMENT.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #357**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$20,000 IN THE FY97 GENERAL FUND BUDGET TO THE COMMUNITY

PROMOTIONS ACCOUNT, FOR THE PURPOSE OF ASSISTING WITH THE EXPENSES OF LARGE COMMUNITY-ORIENTED EVENTS; AND

WHEREAS, A REVIEW OF THE REQUEST WAS MADE FOR PAYMENT OF SUCH EXPENSES IN THE AMOUNT OF \$400.00, COVERING WEST SIDE PARK FACILITY RENTAL FEES FROM THE GREATER LANSING AREA HORSESHOE CLUB, FOR THE STATE CHAMPIONSHIP HORSESHOE TOURNAMENT ON AUGUST 29, 30, 31 AND SEPTEMBER 1, 1997; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY AUTHORIZES CHARGES IN THE AMOUNT OF \$400.00 TO ACCOUNT #101-173901-741289-O; AND

AND BE IT FURTHER RESOLVED THIS PAYMENT SHALL BE MADE BY MEANS OF AN INTERDEPARTMENTAL VOUCHER TO BE GENERATED BY THE FINANCE DEPARTMENT

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #358**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER AND OLDSMOBILE PARK AND BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE INGHAM INTERMEDIATE SCHOOL DISTRICT FOR THE NEW AND EMERGING CAREERS FOR YOUNG WOMEN'S CAREER NIGHT AT THE LANSING CENTER ON MAY 15, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$817.50 TO ACCOUNT #101-173901-741200-O, FOR LANSING CENTER RENTAL COSTS.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #359**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER AND OLDSMOBILE PARK AND BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE LANSING CAPITAL SESQUICENTENNIAL FOR THE BASEBALL

FESTIVAL AT THE OLDSMOBILE PARK ON JULY 20, 1997;  
AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS  
BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF  
\$1,000.00 TO ACCOUNT #101-173901-741200-0,  
FOR OLDSMOBILE PARK RENTAL COSTS.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #360**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, KLC, INC. (LEROY'S CLASSIC BAR AND GRILL)  
HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL  
COMMISSION TO ADD A NEW DANCE-ENTERTAINMENT PERMIT  
TO THE EXISTING 1997 CLASS C LICENSED BUSINESS AT  
1526 SOUTH CEDAR.; AND

WHEREAS, THE CITY CLERK HAS REPORTED THAT SAID  
APPLICATION HAS BEEN REVIEWED AND APPROVED BY  
APPROPRIATE CITY STAFF; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICE HAS  
REVIEWED THIS MATTER AND RECOMMENDS THAT THE  
APPLICATION BE FORWARDED TO THE COMMISSION WITH A  
POSITIVE RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY  
COUNCIL THAT THE REQUEST OF KLC, INC. (LEROY'S  
CLASSIC BAR AND GRILL) TO ADD A NEW DANCE-  
ENTERTAINMENT PERMIT TO THE EXISTING 1997 CLASS C  
LICENSED BUSINESS AT 1526 SOUTH CEDAR IS HEREBY  
RECOMMENDED FOR APPROVAL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #361**

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RE: ACT-6-97, SOUTH WASHINGTON SQUARE  
(100-300 BLKS.), PUBLIC SEATING

WHEREAS, THE PRINCIPAL SHOPPING DISTRICT HAS  
SUBMITTED A PROPOSAL (ACT-6-97) TO INSTALL OUTDOOR  
PUBLIC SEATING ALONG THE 100-300 BLOCKS OF SOUTH  
WASHINGTON SQUARE; AND

WHEREAS, THE SEATING AREAS WILL BE LOCATED IN THE  
LARGEST LANDSCAPING BERM IN EACH OF THE THREE  
BLOCKS, AND WILL COMMEMORATE LANSING'S CENTENNIAL  
BUSINESSES, INCLUDING OLDSMOBILE; AND

WHEREAS, BASED UPON ITS REVIEW OF TESTIMONY AND  
EVIDENCE, INCLUDING A DESIGN CONCEPT PLAN, RELATING TO

THE LOCATION, CHARACTER AND EXTENT OF THIS PROJECT IN  
ACCORDANCE WITH P.A. 285 OF 1931, THE PLANNING  
BOARD FOUND THAT:

1. THE PROJECT CONFORMS TO THE 1986 RIVER  
ISLAND MASTER PLAN AMENDMENT, WHICH  
DESIGNATES THE PROJECT AREA AS CENTRAL  
BUSINESS DISTRICT,
2. THE PROPOSAL PROVIDES OUTDOOR SEATING FOR  
DOWNTOWN PEDESTRIANS, WHILE RETAINING MOST  
OF THE LANDSCAPING AND AMENITIES CURRENTLY  
OFFERED DOWNTOWN, AND OUTDOOR SEATING  
ALONG SOUTH WASHINGTON IS IN HIGH DEMAND  
DURING FAVORABLE WEATHER,
3. THE SEATING AREAS WILL BE INSTALLED WITHOUT  
REDUCING THE SPACE AVAILABLE PARKING OR  
VEHICULAR AND PEDESTRIAN PARKING,
4. THE PROJECT COMMEMORATES LANSING'S  
LONGSTANDING BUSINESSES, INCLUDING  
OLDSMOBILE, WHICH HAVE HAD A SUBSTANTIAL  
IMPACT ON LANSING'S ECONOMIC DEVELOPMENT,
5. THE PRINCIPAL SHOPPING DISTRICT HAS RECEIVED  
THE SUPPORT OF THE BUSINESSES ALONG THE  
AFFECTED AREA FOR THE CONVERSION OF UP TO  
EIGHT BERMS INTO PUBLIC SEATING; AND

WHEREAS, NO MEMBER OF THE PUBLIC SPOKE IN  
OPPOSITION TO THIS PROPOSAL AT THE PLANNING BOARD  
MEETING ON JUNE 3, 1997; AND

WHEREAS, ON JUNE 3, 1997, AFTER REVIEWING THIS  
REQUEST UNDER P.A. 285 OF 1931, THE PLANNING  
BOARD VOTED UNANIMOUSLY (6-0) TO RECOMMEND THE  
APPROVAL OF ACT-6-97, THE REQUEST BY PRINCIPAL  
SHOPPING DISTRICT TO INSTALL OUTDOOR PUBLIC SEATING  
ALONG THE 100-300 BLOCKS OF SOUTH WASHINGTON  
SQUARE, BASED UPON THE DESIGN CONCEPT PRESENTED,  
WITH ADDITIONAL DESIGN DETAILS TO BE WORKED OUT IN AN  
ADMINISTRATIVE PLAN REVIEW; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING  
HAS REVIEWED THE REPORT AND RECOMMENDATION OF THE  
PLANNING BOARD AND THE DESIGN DETAILS AS TO CONCEPT  
AND PLACEMENT, AND CONCURS THEREWITH;

NOW, THEREFORE BE IT RESOLVED, THE LANSING CITY  
COUNCIL HEREBY APPROVES ACT-6-97, THE PRINCIPAL  
SHOPPING DISTRICT'S PROPOSAL TO INSTALL OUTDOOR  
PUBLIC SEATING ALONG THE 100-300 BLOCKS OF SOUTH  
WASHINGTON SQUARE, IN ACCORDANCE WITH THE DESIGN,  
CONCEPT, AND PLACEMENT SUBMITTED TO THE DEVELOPMENT  
AND PLANNING COMMITTEE.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**THIS RESOLUTION WAS PULLED FROM THE AGENDA AT  
THE REQUEST OF COUNCILMEMBER LILLY**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING



525, 531 AND 535 SOUTH CAPITOL AVENUE

WHEREAS, STATE EMPLOYEES CREDIT UNION HAS SUBMITTED A SITE PLAN REVIEW APPLICATION FOR A PROPOSED PARKING LOT EXPANSION TO INCLUDE PROPERTIES AT 525, 531 AND 535 SOUTH CAPITOL AVENUE; AND

WHEREAS, THE PROJECT AS SUBMITTED, WILL RESULT IN THE REMOVAL OR DEMOLITION OF THREE STRUCTURES THAT ARE POTENTIALLY SIGNIFICANT TO THE CULTURAL, SOCIAL, ECONOMIC, POLITICAL AND ARCHITECTURAL HERITAGE OF THE CITY, AS FOLLOWS;

525 S. CAPITOL WAS BUILT IN 1885 AND OCCUPIED BY MR. HENRY A. DUDLEY AND HIS BUSINESS, THE JOHN HENRY COMPANY; AND

531 S. CAPITOL, KNOWN AS THE EDMONDS HOUSE, WAS COMPLETED IN 1894 AND OCCUPIED BY MR. JAMES EDMONDS WITH HIS FAMILY AND, ALONG WITH MADISON BATES AND J. EDWARD ROE, MR. EDMONDS HELPED FORM THE BATES AUTOMOBILE COMPANY AND LATER THE BATES AND EDMONDS ENGINE COMPANY; AND

535 S. CAPITOL WAS BUILT IN 1900 AND WAS THE RESIDENCE OF DR. GEORGE BAUCH IT WAS SOLD IT TO THE MICHIGAN TUBERCULOSIS ASSOCIATION. IN THE MID-30'S IT WAS OCCUPIED BY THE VAN WAGONER FOR GOVERNOR STATE HEADQUARTERS. MURRAY D. VAN WAGONER SERVED AS GOVERNOR IN 1941 AND 1942; WAS THE ORIGINAL MEMBER OF THE STATES TRANSPORTATION HALL OF HONOR; WAS RESPONSIBLE FOR ONE OF THE NATIONS FIRST STATE HIGHWAY NEEDS STUDIES; INITIATED THE FIRST ROADSIDE PARK ALONG A STATE HIGHWAY SYSTEM; AND DEVELOPED THE INITIAL STEPS TOWARD BUILDING THE MACKINAC BRIDGE CONNECTING THE STATES UPPER AND LOWER PENINSULAS; AND

WHEREAS, THE STRUCTURES ARE NOT PROTECTED BY A LOCAL HISTORIC DISTRICT, HOWEVER ALL DEMOLITION PERMITS ARE SCREENED AND REVIEWED FOR HISTORICAL SIGNIFICANCE BY THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT; AND

WHEREAS, WHILE THE CITY OF LANSING WISHES TO COOPERATE WITH THE STATE EMPLOYEES CREDIT UNION, THE POTENTIAL HISTORIC SIGNIFICANCE OF THESE STRUCTURES WARRANTS FURTHER STUDY; AND

WHEREAS, THE MAYOR SUPPORTS THE ESTABLISHMENT OF THE HISTORIC DISTRICT STUDY COMMITTEE FOR THE AFOREMENTIONED PROPERTIES AND UPON APPROVAL BY COUNCIL, APPOINTS THE FOLLOWING PERSONS TO BE ON THE COMMITTEE:

1. RON KOENIG, HISTORIC DISTRICT COMMISSION
2. TODD BRANSTNER, HISTORIC DISTRICT COMMISSION
3. JENNIFER GRAU, HISTORIC DISTRICT COMMISSION
4. REPRESENTATIVE, STATE EMPLOYEES CREDIT UNION
5. REPRESENTATIVE, PRINCIPAL SHOPPING DISTRICT;

NOW, THEREFORE, BE IT RESOLVED, THE CITY COUNCIL HEREBY ESTABLISHES A HISTORIC DISTRICT STUDY COMMITTEE, PURSUANT TO SECTION 1220.03 OF THE

CODIFIED ORDINANCES, TO EVALUATE THE HISTORIC SIGNIFICANCE OF THE STRUCTURES AND POSSIBLE ALTERNATIVE RECOMMENDATIONS TO THE REMOVAL OR DEMOLITION OF THESE STRUCTURES.

BE IT FURTHER RESOLVED, THE CITY COUNCIL DETERMINES THE PENDING WORK (INCLUDING DEMOLITION) OF THE STRUCTURES AT 525, 531 AND 535 SOUTH CAPITOL AVENUE, LANSING, MICHIGAN WILL RESULT IN IRREPARABLE HARM TO SAID RESOURCES IN THE PROPOSED HISTORIC DISTRICT, AND THEREFORE HEREBY ESTABLISHES AN EMERGENCY MORATORIUM OF SIX MONTHS ON ANY PENDING PERMIT APPLICATION CONCERNING SAID RESOURCES; SUBJECT TO THE ADOPTION OF A FUTURE RESOLUTION TO MODIFY OR DISSOLVE THIS MORATORIUM UPON THE RECEIPT OF EVIDENCE UNDER SECTION 1220.03(F) OF THE LANSING CODE OF ORDINANCES.

BE IT FURTHER RESOLVED, THE FOLLOWING MEMBERS OF THE HISTORIC DISTRICT STUDY COMMITTEE APPOINTED BY THE MAYOR ARE HEREBY APPROVED BY THE CITY COUNCIL:

1. RON KOENIG, HISTORIC DISTRICT COMMISSION
2. TODD BRANSTNER, HISTORIC DISTRICT COMMISSION
3. JENNIFER GRAU, HISTORIC DISTRICT COMMISSION.

BE IT FINALLY RESOLVED, THE CITY COUNCIL WILL CONSIDER APPROVAL OF ADDITIONAL MEMBERS TO THE HISTORIC DISTRICT STUDY COMMITTEE UPON THE MAYOR'S NAMING AND APPOINTING REPRESENTATIVE FROM STATE EMPLOYEES CREDIT UNION AND PRINCIPAL SHOPPING DISTRICT.

#### **RESOLUTION #362**

LANSING, MICHIGAN

COMBINED SEWER OVERFLOW CONTROL  
PROJECT PLAN AMENDMENT NO. 1

WHEREAS, THE CITY OF LANSING PREPARED A COMBINED SEWER OVERFLOW CONTROL PROJECT PLAN IN APRIL 1991 FOR A STUDY AREA WHICH INCLUDED THE CITY OF LANSING SEWER SERVICE AREA; AND

WHEREAS, BY RESOLUTION (#261) DATED APRIL 30, 1991, THE LANSING CITY COUNCIL ADOPTED ALTERNATIVE ONE: COMBINED SEWER SEPARATION, AS THE SELECTED ALTERNATIVE TO BE CONSTRUCTED OVER A PERIOD OF 30 YEARS; AND

WHEREAS, SINCE THE TIME OF THE ADOPTION OF THE PROJECT PLAN, THE CITY OF LANSING HAS RECEIVED NINE LOANS FROM THE MICHIGAN STATE REVOLVING FUND (SRF) LOAN PROGRAM FOR THE CONSTRUCTION OF SEGMENTS OF THE OVERALL SEWER SEPARATION PROJECT; AND

WHEREAS, AS A REQUIREMENT OF THE SRF LOAN PROGRAM, THE CITY OF LANSING HAS PREPARED A PROJECT PLAN AMENDMENT, ENTITLED "CITY OF LANSING, MICHIGAN COMBINED SEWER OVERFLOW CONTROL PROJECT PLAN AMENDMENT NO. 1"; AND

WHEREAS, THE OVERALL SEWER SEPARATION PROJECT ADOPTED IN THE ORIGINAL PROJECT PLAN REMAINS UNCHANGED; AND

WHEREAS, THE MAJOR ELEMENT OF THE PROJECT TO BE REVISED IN PROJECT PLAN AMENDMENT NO. 1 INCLUDES WORK AT THE LANSING AVENUE PUMP STATION; AND

WHEREAS, ALTERNATIVES FOR WORK AT THE LANSING AVENUE PUMP STATION HAVE BEEN THOROUGHLY STUDIED TO DETERMINE THE MOST READILY IMPLEMENTABLE, ENVIRONMENTALLY SOUND AND COST-EFFECTIVE ALTERNATIVE FOR THE CITIZENS OF THE CITY OF LANSING.

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT THE COUNCIL SUPPORTS PROJECT PLAN AMENDMENT NO. 1, WHICH INCLUDES CONSTRUCTION OF A NEW LANSING AVENUE PUMP STATION; AND

BE IT FURTHER RESOLVED, THAT THE CITY OF LANSING PLEDGES TO ACTIVELY SUPPORT THE FINANCING OF ITS FAIR LOCAL SHARE OF THE COSTS REQUIRED TO IMPLEMENT THIS PLAN.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

### **ORDINANCES FOR INTRODUCTION**

#### **INTRODUCTION OF ORDINANCE AMENDING CHAPTER 822 HEALTH MASSAGE AND BATH ESTABLISHMENT LICENSES**

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 822, SECTIONS 822.02, 822.03, 822.08, 822.16, 822.17, 822.18 AND 822.19, FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING HEALTH MASSAGE AND BATH ESTABLISHMENT LICENSES, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES.

#### **RESOLUTION #363**

#### **RESOLUTION SETTING PUBLIC HEARING**

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 21, 1997, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 822, SECTIONS 822.02, 822.03, 822.08, 822.16, 822.17, 822.18 AND 822.19 FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING HEALTH MASSAGE AND BATH ESTABLISHMENT LICENSES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### **INTRODUCTION OF ORDINANCE AMENDING CHAPTER 826 JUNK DEALER LICENSES**

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 826, SECTIONS 826.02 AND 826.04, FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING JUNK DEALER LICENSES, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES.

#### **RESOLUTION #364**

#### **RESOLUTION SETTING PUBLIC HEARING**

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 21, 1997, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 826, SECTIONS 826.02 AND 826.04 FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING JUNK DEALER LICENSES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### **INTRODUCTION OF ORDINANCE AMENDING CHAPTER 840 OUTDOOR GATHERING LICENSES**

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 840.10, SECTIONS 840.04, 840.05 AND ADDING SECTION 840.10, FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING OUTDOOR GATHERING LICENSES, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES.

#### **RESOLUTION #365**

#### **RESOLUTION SETTING PUBLIC HEARING**

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 21, 1997, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 840.10, SECTIONS 840.04, 840.05 AND ADDING SECTION 840.10 FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING OUTDOOR GATHERING LICENSES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 844  
SOLICITORS AND  
TRANSIENT MERCHANTS LICENSES

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 844, SECTIONS 844.03, 844.05, 844.08, 844.17 AND 844.18, FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS LICENSES, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES.

**RESOLUTION #366**  
RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 21, 1997, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 844, SECTIONS 844.03, 844.05, 844.08, 844.17 AND 844.18 FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS LICENSES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 852  
RUBBISH HAULER LICENSES

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 852, SECTION 852.06, FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING RUBBISH HAULER LICENSES, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES.

**RESOLUTION #367**  
RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 21, 1997, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 852, SECTION 852.06 FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING RUBBISH HAULER LICENSES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 856  
SECOND HAND DEALERS LICENSE

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 856, SECTIONS 856.03, 856.10, AND ADDING SECTION 856.11, FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING SECOND HAND DEALERS LICENSES, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES.

**RESOLUTION #368**  
RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 21, 1997, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 856, SECTIONS 856.03, 856.10, AND ADDING SECTION 856.11 FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING SECOND HAND DEALERS LICENSES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 872  
VEHICLES FOR HIRE LICENSES

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 872, SECTIONS 872.03, 872.04, 872.10 AND 872.12, FOR THE PURPOSE OF A CHANGE TO THE METHOD OF

HANDLING AND GRANTING VEHICLES FOR HIRE LICENSES, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES.

#### RESOLUTION #369

#### RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 21, 1997, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 872, SECTIONS 872.03, 872.04, 872.10 AND 872.12 FOR THE PURPOSE OF A CHANGE TO THE METHOD OF HANDLING AND GRANTING VEHICLES FOR HIRE LICENSES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-3-97, 1101 AND 1119 W. WILLOW ST., 1114 AND 1118 THEODORE ST., AND 1201, 1205, 1209 AND 1213 N. MARTIN LUTHER KING JR. BLVD., "B" RESIDENTIAL, "F" COMMERCIAL AND "J" PARKING DISTRICTS TO "F" COMMERCIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #370

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 28, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-3-97, 1101 AND 1119 W. WILLOW ST., 1114 AND 1118 THEODORE ST., AND 1201, 1205, 1209 AND 1213 N. MARTIN LUTHER KING JR. BLVD., "B" RESIDENTIAL, "F" COMMERCIAL AND "J" PARKING DISTRICTS TO "F" COMMERCIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### OTHER BUSINESS

##### ► PUBLIC COMMENT ON CITY MATTERS

CHRISTINE TIMMON SAID THAT SHE HOPES WE ALL LEARNED A VALUABLE LESSON FROM HONORABLE CITIZEN, DICK LETTS. LAW ABIDING CITIZENS DO NOT NEED A CITIZENS REVIEW BOARD. THIS WOULD BE A TOOL OF CRIMINALS, USED TO APPEAL ALL TYPES OF CHARGES FOR CRIMES THEY HAVE COMMITTED.

REVEREND ANDREW BRODIE OF 1114 GLENN STATED HIS SUPPORT FOR THE MARCH FOR JUSTICE AND THEIR ATTEMPTS TO INCREASE THE PERCENTAGE OF BLACKS EMPLOYED AS POLICE OFFICERS AND FIRE OFFICERS BY THE CITY OF LANSING. ADDITIONALLY WE NEED TO PROMOTE THE BLACKS THAT CURRENTLY HOLD POSITIONS WITHIN THE POLICE AND FIRE DEPARTMENTS. WE NEED TO ENSURE THEIR PROMOTIONS TO HIGHER POSITIONS OF POWER. THEY ARE COLLECTING SIGNATURES FOR THE CITIZENS REVIEW BOARD PETITION DRIVE.

LLOYD TEETS OF 116 E. ELM ST. ACCUSED A PREVIOUS SPEAKER OF CHARACTER ASSASSINATION. HE STATED THAT HE HAS NEVER SEEN PRESIDENT BEAL AT ANY MARCH FOR JUSTICE MEETINGS. THEY ARE CIRCULATING PETITIONS TO PLACE THE ISSUE OF A CITIZENS REVIEW BOARD ON THE NOVEMBER ELECTION BALLOT. HE URGED PEOPLE WHO ARE INTERESTED IN SIGNING, OR CIRCULATING THEIR PETITIONS TO CALL HIM.

REVEREND LESTER STONE OF 1603 W. KALAMAZOO SAID THAT THE MARCH FOR JUSTICE HAS FORMED A COMMITTEE TO CIRCULATE THE CITIZENS REVIEW BOARD PETITIONS TO PLACE THIS QUESTION OF A CHARTER AMENDMENT TO ESTABLISH THIS BOARD ON THE NOVEMBER ELECTION BALLOT. THE PROBLEM WITH THE BOARD OF POLICE COMMISSIONERS IS THE CHARTER LANGUAGE DEFINING THEIR CHARGE.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SAID THAT POLICE OFFICERS MUST BE HELD ACCOUNTABLE FOR THEIR ACTIONS, JUST AS ALL OTHER CITIZENS ARE. YOU CANNOT BE A PLAYER AND A REFEREE AT THE SAME TIME. THE BOARD OF POLICE COMMISSIONERS WAS ESTABLISHED TO DETERMINE THE ADMINISTRATION OF THE POLICE DEPARTMENT AND CANNOT, THEREFORE, BE OBJECTIVE IN THEIR RULINGS REGARDING COMPLAINTS BY CITIZENS. HE CHARGED THE LANSING POLICE DEPARTMENT WITH THE USE OF DEHUMANIZATION TACTICS. THEY SHOULD NEVER ADDRESS A CITIZEN AS ANYTHING OTHER THAN MR./MRS.

ALBERTA JORDAN, NO ADDRESS GIVEN, SAID THAT SHE IS CIRCULATING PETITIONS TO ESTABLISH A CITIZENS REVIEW BOARD. SHE URGED ALL YOUNG PEOPLE TO SUPPORT THIS PETITION DRIVE. THEY MUST GET OUT, REGISTER TO VOTE, AND SIGN ONE OF THE PETITIONS. THEY NEED TO GET OUT AND MAKE THINGS BETTER FOR THEMSELVES.

WILLIE DAVIS OF 1136 SHEPARD SAID THAT THE DEATH OF EDWARD SWANS GALVANIZED THIS ENTIRE CITY. WHETHER

YOU SUPPORT THE MARCH FOR JUSTICE, OR OPPOSE THEM, YOU ARE MORE AWARE TODAY THAN YOU WERE PRIOR TO MR. SWANS DEATH. HE HAS PULLED TOGETHER ONE OF THE GREATEST ISSUES TO UNIFY THIS COMMUNITY IN A LONG TIME.

### CITY OFFICERS & BOARD REPORTS

#### 1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

#### 2. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: PARKS & RECREATION, HUMAN RELATIONS & COMMUNITY SERVICES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. APPOINTMENT OF MARTHA MCFARLANE TO THE HISTORIC DISTRICT COMMISSION FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

C. REAPPOINTMENT OF ROGER HAYNES TO THE TRAFFIC BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

D. REAPPOINTMENT OF DENISE FOLTZ TO THE TRAFFIC BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

E. REAPPOINTMENT OF MARY BAWEJA TO THE HISTORIC DISTRICT COMMISSION FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

F. REAPPOINTMENT OF LESLIE SULSKIS TO THE HISTORIC DISTRICT COMMISSION FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

G. REAPPOINTMENT OF JOHN RUGE TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

H. REAPPOINTMENT OF HELEN LeBLANC TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

I. FINANCIAL IMPACT STATEMENT: CONTINUATION OF VICTIMS OF CRIME ACT GRANT AWARD (DOMESTIC VIOLENCE)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

J. GRANT APPLICATION: HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

K. Z-08-97; 3500 N. MARTIN LUTHER KING, JR. BLVD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

L. Z-10-97; 516 TISDALE

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

M. ACT-04-97; VACATION OF EDGEWOOD COURT

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

N. Z-09-97; S. SIDE OF THE 200 BLOCK OF JOLLY RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

O. PRD-02-97; S. SIDE OF THE 200 BLOCK OF JOLLY RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

P. POLICY STATEMENT; DISPOSITION OF PROCEEDS FROM THE SALE OF PROPERTY TRANSFERRED BETWEEN THE CITY OF LANSING AND THE BOARD OF WATER & LIGHT

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

Q. Z-11-97; 615 & 617 E. MICHIGAN AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

R. LETTER OF APPRECIATION FROM CONTI DEVELOPMENT CORP. TO LT. JOEL MAATMAN AND OFFICER ED. BEDECS OF LPD

RECEIVED AND PLACED ON FILE

S. LETTER OF APPRECIATION FROM LAWTON CONNELLY, PRESIDENT OF THE LANSING AREA SAFETY COUNCIL & BOOTS TEDDY, HISTORIC PRESERVATION COORDINATOR TO THE LFD

RECEIVED AND PLACED ON FILE

T. LETTER OF APPRECIATION FROM MARK S. CONTI, CONTI DEVELOPMENT CORP. REGARDING FAIRFIELD PLACE

RECEIVED AND PLACED ON FILE

U. LETTER OF APPRECIATION FROM MARY ELLEN ZEINEH TO THE CITY OF LANSING

RECEIVED AND PLACED ON FILE

V. LETTER OF APPRECIATION FROM ALICE KENUYON FOR THE RIVER WALK ON JUNE 14, 1997

RECEIVED AND PLACED ON FILE

W. LETTER OF APPRECIATION FROM PAUL D. ANDERSON, MANAGER OF RIDERS HOBBY SHOP TO THE LPD

RECEIVED AND PLACED ON FILE

X. LETTER OF APPRECIATION FROM STEWARD POWELL, OWNER OF LINN & OWEN FINE JEWELERS TO DAVID BERRIDGE OF THE TRANSPORTATION DEPARTMENT

RECEIVED AND PLACED ON FILE

Y. CARRY FORWARDS FY 1996-97 TO FY 1997-98

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

### COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES OF APPROVAL OF AN APPLICATION FOR TEMPORARY OUTDOOR SALE PERMIT FOR TRAMMPPS, INC. AND IMPOSING PROVISIONS FOR THEIR APPROVAL

RECEIVED AND PLACED ON FILE

2. LETTERS FROM WILLIAM BURT BURLESON RE:

- HIS REQUEST FOR A TRANSFER OR ADMINISTRATIVE LEAVE
- TIMELINESS OF GRIEVANCES FILED BY HIM
- RESPONSE FROM LABOR RELATIONS ADMINISTRATOR, DORIS SCHOENING TO GRIEVANCES FILED BY HIM

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

3. NOTICE FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES OF PERMIT #976095 ISSUED TO THE CITY OF LANSING FOR SEWERAGE SYSTEM CONSTRUCTION FOR THE FREDERICK ST. SSX

RECEIVED AND PLACED ON FILE

4. MTT APPEAL FILED BY THE LANSING LUGNUTS

REFERRED TO THE CITY ATTORNEY

5. COMPLAINT AND STORMWATER ENTERPRISE FEE APPEAL

FILED BY TANYA KALISZ-BARCLAY OF 1117 LORAIN AV.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. STORMWATER ENTERPRISE FEE APPEAL FILED BY JOYCE L. HATCH OF 2130 KINGSWOOD DR.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE CITY ATTORNEY

7. STORMWATER ENTERPRISE FEE APPEAL FILED BY DOUGLAS E. CHRISTIAN OF 1801 W. HOLMES

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE CITY ATTORNEY

8. Z-14-97; 233-235 N. PINE ST., PETITION FOR REZONING FROM "D-2" RESIDENTIAL OFFICE TO "D-1" PROFESSIONAL OFFICE DISTRICTS FILED BY MICHIGAN RETAILERS ASSOCIATION TO ALLOW FOR THE DEVELOPMENT OF ADDITIONAL OFFICE SPACE AT THEIR BUILDING

REFERRED TO THE MAYOR AND THE PLANNING BOARD

9. LETTER FROM DARRYL BURGESS OF 1407 PROSPECT SUBMITTING A COPY OF AN OPINION ISSUED TO HIM FROM INGHAM COUNTY PROSECUTOR STUART J. DUNNINGS WITH REGARD TO THE LEGALITY OF THE SALE OF THE CIVIC ARENA

REFERRED TO THE COMMITTEE OF THE WHOLE

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER JONES THANKED DANNY PRIEST IN THE 300 BLOCK OF BARNES AVE. FOR MOWING THE MEDIAN FOR THREE MONTHS AND PICKING UP LITTER WEEKLY.

COUNCILMEMBER BAUER CONGRATULATED THE ROTARY CLUB ON THE GROUND BREAKING OF THE WENTWORTH PARK STEAM CLOCK PROJECT. THE CLOCK SHOULD BE UP AND RUNNING BY AUGUST. THIS WILL BE A GREAT ADDITION TO THE CORNER OF MICHIGAN AND GRAND AVENUES. SHE SAID THAT BEING IN EUROPE HAS MADE HER APPRECIATE THE STABILITY OF OUR SYSTEM OF GOVERNMENT.

COUNCILMEMBER BEAL STATED HER APPRECIATION FOR THE PRESENCE OF DICK LETTS AT TONIGHT'S MEETING. SHE DOES NOT AGREE WITH THE IMPRESSION THAT MAY HAVE BEEN LEFT THAT PEOPLE SHOULD NOT FEEL FREE TO COME DOWN AND STATE THEIR COMPLAINTS TO ELECTED CITY OFFICIALS. SHE REQUESTED A REPORT FROM THE PUBLIC SAFETY COMMITTEE AT THIS WEEK'S COMMITTEE OF THE WHOLE REGARDING THE ISSUE OF WHEN A FORMAL COMPLAINT SYSTEM WILL BE DESIGNED.

COUNCILMEMBER ALLEN SAID THAT THE PUBLIC SAFETY COMMITTEE HAS REQUESTED A REPORT ON THE MARCH FOR JUSTICE ISSUES FROM THE BOARD OF POLICE COMMISSIONERS. THE COMMITTEE MEMBERS DO NOT HAVE ENOUGH PERSONAL TIME TO COMPLETE THIS TYPE OF REPORT, NOR IS THERE ADEQUATE COUNCIL STAFF TO ADDRESS THE ISSUE. SHE INQUIRES AS TO THE FILLING OF THE PRINCIPAL LEGISLATIVE ASSISTANT POSITION ON THEIR STAFF.

**MAYOR'S EXECUTIVE ASSISTANT'S  
RESPONSE TO COMMENTS**

MR. WIENER SAID THAT THE ISSUE OF THE COMPLAINT PROCESS IS BEFORE THE BOARD OF POLICE COMMISSIONERS. WE ARE AWAITING THEIR RECOMMENDATIONS. HE PROMISED TO CHECK INTO THEIR TIME LINE ON A RESPONSE. HE EXPRESSED HIS APPRECIATION TO COUNCILMEMBERS FOR THE TRIBUTE AND DONATION TO DICK LETTS. MR. LETTS HAS BEEN A PROFESSIONAL AND PERSONAL INSPIRATION TO MANY OF USE FOR MANY YEARS. HE HAS GIVEN SO MUCH OF HIMSELF TO THE COMMUNITY IN MANY WAYS FOR HIS ENTIRE LIFE. WE ARE HAPPY TO BE ABLE TO SHARE THIS TRIBUTE TONIGHT WITH HIM AND HIS WIFE TONIGHT.

**ADJOURNED 8:55 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JULY 7, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR  
SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY  
PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY

ABSENT: COUNCILMEMBER NOVAK

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY  
COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF JUNE  
16, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE  
RULES:

1. FROM COUNCILMEMBER ALLEN: A LETTER FROM RON  
PREADMORE OF 4220 CHRISTIANSEN RD. REQUESTING  
REPAIR OF POTHOLES ON CHRISTIANSEN RD.

2. FROM COUNCILMEMBER ALLEN: A LETTER FROM  
CHRISTINE HANSEN OF 5431 CALVARY CIR. STATING HER  
OPPOSITION TO THE PROPOSED DEVELOPMENT PROJECT AT  
THE CORNER OF JOLLY AND CEDAR

3. FROM COUNCILMEMBER ALLEN: A LETTER FROM BRIAN  
JACKSON OF 5648 ANNAPOLIS DR. OPPOSING THE  
INSTALLATION OF TRAFFIC CALMING DEVICES IN HIS  
NEIGHBORHOOD

4. FROM COUNCILMEMBER BENAVIDES: A LETTER OF  
APPRECIATION FROM THE CAPITAL REGION COMMUNITY  
FOUNDATION FOR THE TRIBUTE TO RICHARD LETTS

5. FROM COUNCILMEMBER LEEMAN: A RESOLUTION  
AUTHORIZING GRANT APPLICATION FOR THE INGHAM  
COUNTY/CITY OF LANSING COMMUNITY CORRECTIONS  
ADVISORY BOARD

6. FROM COUNCILMEMBER LEEMAN: A RESOLUTION  
APPROVING A CHANGE IN RECYCLING FEES

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION  
OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES: ANNOUNCED THAT COUNCIL HAS  
SENT OUT A REQUEST FOR PROPOSAL FOR A COMPANY TO  
INVESTIGATE THE MELLING DROP FORGE INCIDENT. THE  
COUNCIL PRESIDENT, VICE PRESIDENT AND CHAIR OF THE  
PUBLIC SERVICE COMMITTEE WILL MAKE THE INITIAL REVIEW  
OF THESE PROPOSALS WHEN THEY ARE RETURNED ON JULY  
17TH.

COUNCILMEMBER BAUER ANNOUNCED THAT THE  
INTERGOVERNMENTAL AFFAIRS MEETING FOR THIS WEEK IS  
CANCELED.

COUNCILMEMBER ALLEN WISHED CONGRATULATIONS TO TED  
AND BETTY KOST ON THEIR WEDDING ANNIVERSARY

MAYOR HOLLISTER ANNOUNCED THAT JULY 8TH & 9TH ARE  
FREE ADMISSIONS DAYS AT THE POTTER PARK ZOO - STOP BY  
AND SEE THE NEW EXHIBITS. SUMMER HOURS FOR THE ZOO  
ARE FROM 9:00 A.M. TO 7:00 P.M. DAILY. THANKS TO  
ALL THE VOLUNTEERS, EMPLOYEES AND BUSINESSES WHO  
HELPED MAKE THE FESTIVITIES OVER THE JULY 4TH WEEKEND  
A BIG SUCCESS.

► SPECIAL CEREMONY:

COUNCILMEMBER BAUER INTRODUCED THE MEMBERS OF THE  
LANSING DELEGATION TO OUR SISTER CITY, ST.  
PETERSBURG, RUSSIA. MEMBERS TOLD OF THEIR  
EXPERIENCES. A TOTAL OF 72 PEOPLE FROM LANSING HAVE  
NOW MADE THE TRIP TO RUSSIA SINCE THE SISTER CITY  
AGREEMENT WITH ST. PETERSBURG. GLOBAL HOPE MAKERS  
IN LANSING WORKS TO ENSURE THAT THESE TRIPS ARE  
SUCCESSFUL.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON PUBLIC HEARINGS:

THERE WERE NO SCHEDULED PUBLIC HEARINGS

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

CHRISTINE TIMMON OF 335 E.ST. JOSEPH SPOKE  
REGARDING THE GRANT ACCEPTANCE FOR VICTIMS OF  
VIOLENCE. SHE BELIEVES THAT MANY TIMES THE WOMEN  
THEMSELVES ARE AT FAULT AS THEY SET THEMSELVES UP TO  
BE ABUSED.

LLOYD TEETS OF 116 E. ELM QUESTIONED THE LEASE WITH



THE SPIRIT OF DOWNTOWN LANSING FOR THE OLD GRANT BUILDING. HE SAID THAT HE SUSPECTS THE CITY WILL BE PAYING OUT MORE LEASING BACK SPACE THAN THEY WILL GAIN THROUGH THE SALE OF THIS BUILDING.

### LEGISLATIVE MATTERS RESOLUTIONS

#### RESOLUTION #371

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, A CERTAIN STREET AND PUBLIC IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED WITHIN THE PROPERTY COMMONLY KNOWN AS LOTS 9, 10, AND 11, GIDDING'S SUBDIVISION WITHIN THE CITY OF LANSING; AND

WHEREAS, THE OWNERS OF SAID PROPERTY HAVE OFFERED TO CONVEY IT, BY DEED, TO THE CITY OF LANSING FOR THE ACCEPTANCE OF SAID TRANSFER, AND THE DEDICATIONS THEREIN TO PUBLIC USE AND PURPOSE;

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL HEREBY APPROVES THE ACCEPTANCE OF THE TRANSFER AND DEDICATION TO PUBLIC USE AND PURPOSE, THE PROPERTIES COMMONLY KNOWN AS EXPRESS COURT IN LOTS 9, 10, AND 11, GIDDING'S SUBDIVISION AND OTHER PROPERTIES AS DESCRIBED IN A CERTAIN WARRANTY DEED, AS EXECUTED BY LOUIS J. EYDE LIMITED FAMILY PARTNERSHIP AND GEORGE F. EYDE LIMITED PARTNERSHIP ON JANUARY 4, 1996, WHICH IS ON FILE WITH THE CITY CLERK.

BE IT FURTHER RESOLVED, UPON APPROVAL AS TO FORM OF THE BEFORE MENTIONED WARRANTY DEED BY THE CITY ATTORNEY, THE CITY CLERK IS REQUESTED TO FORWARD SAME TO THE INGHAM COUNTY REGISTER OF DEEDS RECORDATION.

BE IT FINALLY RESOLVED, THAT THE CITY COUNCIL RECOMMEND ACCEPTANCE OF EXPRESS COURT TO THE CITY'S ACT 51 LOCAL STREET SYSTEM.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #372

BY COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT IV

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JUNE 2, 1997, THE CITY ASSESSOR HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLL NUMBER 330 FOR CURB AND GUTTER, AND STORM SEWER, AS FOLLOWS:

PROJECT TITLE: CAVANAUGH ROAD RECONSTRUCTION P.S. #67060 - PENNSYLVANIA AVENUE TO AURELIUS ROAD.

PROPERTY BENEFITED

CURB AND GUTTER: ALL LANDS FRONTING ON CAVANAUGH

ROAD FROM THE RAILROAD TRACKS TO 70 METERS EAST OF AURELIUS ROAD, EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

#### COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO 330	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB GUTTER	\$ 20,522.94	\$48,288.57
OTHER COSTS	<u>\$775,734.94</u>	<u>0.00</u>
TOTAL COSTS	\$796,257.88	\$48,288.57

WHEREAS, THE PUBLIC SERVICE COMMITTEE MET WITH THE RESIDENTS OF CAVANAUGH ROAD ON JULY 1, 1997 AND RECOGNIZED THAT CAVANAUGH ROAD, A MAJOR STREET, IS USED BY MANY RESIDENTS IN THE CITY; AND

WHEREAS, THIS IS UNLIKE A LOCAL STREET THAT SERVES PRIMARILY THE RESIDENTS ON THAT STREET.

NOW, THEREFORE, BE IT RESOLVED, THAT THE PROJECT IS NECESSARY AND SHALL PROCEED;

BE IT FURTHER RESOLVED, THAT THE ASSESSABLE COST FOR THE CURB AND GUTTER OF THE PROJECT SHALL BE FUNDED WITH STREET REHABILITATION FUNDS IN THE FOLLOWING ACCOUNTS:

	ACCOUNT NUMBER	
CITY SHARE OF C&G	\$ 20,522.94	20245360197410050002
CITY SHARE OF OTHER COST	\$188,224.36	20245360197410050002
S.T.P. SHARE OF COSTS	\$587,510.58	FEDERAL SHARE
ASSESSABLE SHARE OF C&G	\$ 48,288.57	20245360197410050002

AND;

BE IT FINALLY RESOLVED, THAT THE PUBLIC SERVICE COMMITTEE REQUESTS THAT THE WAYS AND MEANS COMMITTEE IDENTIFY FUNDS TO MAKE THE STREET REHABILITATION FUND WHOLE FOR THE AMOUNT THAT WOULD HAVE BEEN FUNDED BY THE SPECIAL ASSESSMENTS FOR THE CURB AND GUTTER ON THIS PROJECT.

BY COUNCILMEMBER LEEMAN

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

BY COUNCILMEMBER ALLEN

TO AMEND THE RESOLUTION BY REMOVING THE WORDS "STORM SEWER" FROM THE FIRST WHEREAS.

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 1

NAYS: 6

COUNCILMEMBER LEEMAN'S MOTION FOR AFFIRMATIVE ROLL WAS:

CARRIED UNANIMOUSLY

**RESOLUTION #373**

BY COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT IV

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JUNE 9, 1997, THE CITY ASSESSOR HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLL NUMBER 336 FOR CURB AND GUTTER, AND STORM SEWER, AS FOLLOWS:

PROJECT TITLE: DAVID STREET RECONSTRUCTION P.S. #17038.- VERMONT AVENUE TO NEW YORK AVENUE.

PROPERTY BENEFITTED

CURB AND GUTTER: ALL LANDS FRONTING ON DAVID STREET WEST OF VERMONT AVENUE.

PROPERTY BENEFITTED

SIDEWALK: PARCELS NO. 3301-10-128-241.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #336	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$1,492.88	\$14,900.55
SIDEWALK	\$450.00	\$862.50
OTHER COSTS	<u>\$99,468.84</u>	<u>\$0.00</u>
TOTAL COSTS	\$101,411.72	\$15,763.05

WHEREAS, THIS PROJECT WAS INITIATED AFTER THE IMPLEMENTATION OF THE STORM WATER FEE.

NOW THEREFOR BE IT RESOLVED, THAT SPECIAL ASSESSMENT ROLL NUMBER 336 AS RETURNED BY THE CITY ASSESSOR, BE RATIFIED AND CONFIRMED, AND THE MAYOR IS AUTHORIZED TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING THE CITY TREASURER TO COLLECT SAID TAX WITHIN 90 DAYS AFTER THE APPROVAL OF THE ASSESSMENT ROLL.

BE IT FURTHER RESOLVED, THAT THE CITY COUNCIL WILL WORK WITH THE ADMINISTRATION TO DEVELOP A POLICY REGARDING SPECIAL ASSESSMENTS AND THAT ALL CHANGES RESULTING FROM THIS POLICY BE EFFECTIVE FOR THIS PROJECT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #374**

BY COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JUNE 9, 1997, THE CITY ASSESSOR HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLL NUMBER 333 FOR CURB AND GUTTER, AND STORM SEWER, AS FOLLOWS:

PROJECT TITLE: WIELAND STREET RECONSTRUCTION P.S. #17040.- VERMONT AVENUE TO MASSACHUSETTS AVENUE.

PROPERTY BENEFITTED

CURB AND GUTTER: ALL LANDS FRONTING ON WIELAND STREET.

PROPERTY BENEFITTED

SIDEWALK: PARCELS NO. 3301-03-381-121 & 3301-03-383-002.

PROPERTY BENEFITTED

STORM SEWER: ALL LANDS FRONTING ON WIELAND STREET.

ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #333	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$447.89	\$7,083.40
STORM SEWER	\$0.00	\$3,096.00
SIDEWALK	\$735.50	\$1,255.42
OTHER COSTS	<u>\$19,199.58</u>	<u>\$0.00</u>
TOTAL COSTS	\$20,382.92	\$11,434.82

WHEREAS, THIS PROJECT WAS INITIATED AFTER THE IMPLEMENTATION OF THE STORM WATER FEE.

NOW THEREFOR BE IT RESOLVED, THAT SPECIAL ASSESSMENT ROLL NUMBER 333 AS RETURNED BY THE CITY ASSESSOR, BE RATIFIED AND CONFIRMED, AND THE MAYOR IS AUTHORIZED TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING THE CITY TREASURER TO COLLECT SAID TAX WITHIN 90 DAYS AFTER THE APPROVAL OF THE ASSESSMENT ROLL.

BE IT FURTHER RESOLVED, THAT THE CITY COUNCIL WILL WORK WITH THE ADMINISTRATION TO DEVELOP A POLICY REGARDING SPECIAL ASSESSMENTS AND THAT ALL CHANGES RESULTING FROM THIS POLICY BE EFFECTIVE FOR THIS PROJECT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #375**

BY COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT IV

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JUNE 9, 1997, THE CITY ASSESSOR HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLL NUMBER

331 FOR CURB AND GUTTER, AND STORM SEWER, AS FOLLOWS:

PROJECT TITLE: MEL AVENUE RECONSTRUCTION P.S. #75118.- MANOR DRIVE TO WASHINGTON AVENUE.

PROPERTY BENEFITTED

CURB AND GUTTER: ALL LANDS FRONTING ON MEL AVENUE FROM 160 FEET EAST OF MANOR DRIVE TO WASHINGTON AVENUE.

PROPERTY BENEFITTED

STORM SEWER: ALL LANDS FRONTING ON MEL AVENUE FROM 160 FEET EAST OF MANOR DRIVE TO 160 FEET WEST OF WASHINGTON AVENUE.

PROPERTY BENEFITTED

SIDEWALK: ALL LANDS FRONTING ON MEL AVENUE FROM 160 FEET EAST OF MANOR DRIVE TO WASHINGTON AVENUE.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO 331	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$26.18	\$30,593.38
STORM SEWER	\$2,272.15	\$58,459.75
SIDEWALK	\$80.92	\$40,706.36
OTHER COSTS	<u>\$86,168.19</u>	<u>\$0.00</u>
TOTAL COSTS	\$88,547.43	\$129,759.48

WHEREAS, THIS PROJECT WAS INITIATED AFTER THE IMPLEMENTATION OF THE STORM WATER FEE.

NOW THEREFOR BE IT RESOLVED, THAT SPECIAL ASSESSMENT ROLL NUMBER 331 AS RETURNED BY THE CITY ASSESSOR, BE RATIFIED AND CONFIRMED, AND THE MAYOR IS AUTHORIZED TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING THE CITY TREASURER TO COLLECT SAID TAX WITHIN 90 DAYS AFTER THE APPROVAL OF THE ASSESSMENT ROLL.

BE IT FURTHER RESOLVED, THAT THE CITY COUNCIL WILL WORK WITH THE ADMINISTRATION TO DEVELOP A POLICY REGARDING SPECIAL ASSESSMENTS AND THAT ALL CHANGES RESULTING FROM THIS POLICY BE EFFECTIVE FOR THIS PROJECT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

THIS ITEM WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LEEMAN

BY COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT IV

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JUNE 9, 1997, THE CITY ASSESSOR HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLL NUMBER 332 FOR CURB AND GUTTER, AND STORM SEWER, AS

FOLLOWS:

PROJECT TITLE: DORIS STREET RECONSTRUCTION P.S. #76034.- SCHAFER ROAD TO HILLIARD ROAD.

PROPERTY BENEFITTED

CURB AND GUTTER: ALL LANDS FRONTING ON DORIS STREET.

PROPERTY BENEFITTED

STORM SEWER: ALL LANDS FRONTING ON DORIS STREET.

ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL #332	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$421.29	\$9,529.52
STORM SEWER	\$1,702.23	\$27,956.02
OTHER COSTS	<u>\$31,949.69</u>	<u>\$0.00</u>
TOTAL COSTS	\$34,073.21	\$37,485.54;

WHEREAS, THIS PROJECT WAS INITIATED AFTER THE IMPLEMENTATION OF THE STORM WATER FEE.

NOW THEREFOR BE IT RESOLVED, THAT SPECIAL ASSESSMENT ROLL NUMBER 332 AS RETURNED BY THE CITY ASSESSOR, BE RATIFIED AND CONFIRMED, AND THE MAYOR IS AUTHORIZED TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING THE CITY TREASURER TO COLLECT SAID TAX WITHIN 90 DAYS AFTER THE APPROVAL OF THE ASSESSMENT ROLL.

BE IT FURTHER RESOLVED, THAT THE CITY COUNCIL WILL WORK WITH THE ADMINISTRATION TO DEVELOP A POLICY REGARDING SPECIAL ASSESSMENTS AND THAT ALL CHANGES RESULTING FROM THIS POLICY BE EFFECTIVE FOR THIS PROJECT.

#### RESOLUTION #376

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
APPROVAL OF LEASE FOR  
119 N. WASHINGTON SQUARE

WHEREAS, THE LANSING CITY COUNCIL IN RESOLUTION #182 ADOPTED APRIL 28, 1997 AUTHORIZED THE SALE OF 119 N. WASHINGTON SQUARE, THE CITY HALL ANNEX, TO THE SPIRIT OF DOWNTOWN LANSING, L.L.C.; AND

WHEREAS, A CONDITION OF THE SALE OF THE ANNEX IS THE NEGOTIATION OF A LEASE BETWEEN THE CITY AND THE PURCHASER FOR SPACE IN THE BUILDING THAT WILL BE LEASED BACK TO THE CITY; AND

WHEREAS, THE ADMINISTRATION HAS NEGOTIATED A FIVE YEAR (5) LEASE THAT PROVIDES FLEXIBILITY IN RELOCATING EMPLOYEES TO BE DISPLACED DUE TO THE SALE THAT IS MUTUALLY ACCEPTABLE TO BOTH PARTIES; AND

WHEREAS THE CITY COUNCIL HAS REVIEWED THE LEASE AND CONCURS WITH THE TERMS CONTAINED THEREIN;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL DOES HEREBY APPROVE THE LEASE BETWEEN THE CITY AND SPIRIT OF DOWNTOWN LANSING, L.L.C. FOR SPACE TO BE RENTED AT 119 NORTH WASHINGTON SQUARE.

BE IT FURTHER RESOLVED, THAT THE ADMINISTRATION IS AUTHORIZED TO ADMINISTRATIVELY TRANSFER PROCEEDS FROM THE SALE OF THE PROPERTY IN THE AMOUNT NECESSARY TO THE APPROPRIATE ACCOUNT TO PAY THE RENT FOR THE FIRST YEAR OF THE LEASE.

BE IT FINALLY RESOLVED, THAT THE MAYOR IS AUTHORIZED TO SIGN AND EXECUTE THE LEASE ON BEHALF OF THE CITY SUBJECT TO ITS APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #377**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$78,000	WASTEWATER ADMIN. CONTRACT SVCS 590-453670-743000-0	SCADA SYSTEM 590-933610- 975000-20132

(CONTRACTUAL SERVICES, ORIGINALLY PLANNED SEPARATELY, BUT NOW TO BE INCORPORATED IN THE SCADA (SUPERVISORY CONTROL AND DATA ACQUISITION) MULTI-YEAR PROJECT.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$100,000	CDBG-BIDG. REHAB 252- 932663-975201-32000	LOAN DEFAULT 252-932663- 741831-32000

(ESTABLISHMENT OF CDBG-FUNDED PORTION OF LOAN LOSS RESERVE FOR LANSING HOME OWNERSHIP (LHOP) PROGRAM.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #378**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE UNITED STATES DEPARTMENT OF MANAGEMENT AND BUDGET, UNDER THE PROVISIONS OF THE VICTIMS OF CRIME ACT, AND THE STATE OF MICHIGAN, THROUGH THE CRIME VICTIMS SERVICES COMMISSION, HAVE AWARDED A CONTINUATION OF LAST YEAR'S GRANT IN THE AMOUNT OF \$88,820 TO THE CITY OF LANSING AND THE LANSING POLICE DEPARTMENT; AND

WHEREAS, THE PURPOSE OF THE GRANT IS TO PROVIDE FUNDING FOR AN ADMINISTRATIVE COORDINATOR AND ASSISTANT TO MANAGE THE DOMESTIC VIOLENCE RESPONSE AND VICTIM COUNSELING EFFORT PREVIOUSLY DONE ON A VOLUNTEER BASIS WITH THE COUNCIL AGAINST DOMESTIC ASSAULT, AND THE LANSING POLICE DEPARTMENT; AND

WHEREAS, ADDITIONAL MONIES WITHIN THE TOTAL AMOUNT AWARDED WILL COVER SOME TRAVEL EQUIPMENT, AND OFFICE EXPENSES; AND

WHEREAS, THE LOCAL MATCHING REQUIREMENT FOR THIS YEAR, AS LAST YEAR, CONSISTS OF VOLUNTEER EFFORTS COORDINATED THROUGH THE COUNCIL AGAINST DOMESTIC ASSAULT, AND DOES NOT INVOLVE ANY CASH CONTRIBUTION FROM THE CITY OF LANSING,

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL APPROVES THE ACCEPTANCE OF THE CONTINUATION GRANT FROM THE U.S. DEPARTMENT OF MANAGEMENT AND BUDGET UNDER THE VICTIMS OF CRIME ACT, FROM THE STATE OF MICHIGAN CRIME VICTIM SERVICES COMMISSION IN AN AMOUNT UP TO \$88,820 FOR THE PERIOD JULY 1, 1997, THROUGH JUNE 30, 1998, TO IMPROVE SERVICE EFFORTS IN COUNSELING VICTIMS OF DOMESTIC ASSAULT; AND

FURTHER, THAT THE ADMINISTRATION IS HEREBY AUTHORIZED TO MAKE THE NECESSARY TRANSFER FROM THE STATE AND FEDERAL FUNDS REVENUES TO REFLECT RECEIPT OF THESE GRANT MONIES AND TO CREATE APPROPRIATE ACCOUNTS WITHIN THE FEDERAL AND STATE PROGRAMS FUND FOR THE EXPENDITURE AND CONTROL OF THE BALANCE OF THE GRANT FUNDS; AND

BE IT FINALLY RESOLVED, THAT THE AUTHORITY FOR THE COORDINATOR AND ASSISTANT COORDINATOR POSITIONS SHALL TERMINATE UPON EXPIRATION OF THE GRANT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #379**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MICHIGAN COMMUNITY CORRECTIONS ACT OF 1988 (PUBLIC ACT 511 AUTHORIZES THE ESTABLISHMENT OF A COMMUNITY CORRECTIONS ADVISORY BOARD (CCAB) AND COMMUNITY CORRECTIONS PROGRAMMING; AND

WHEREAS, INGHAM COUNTY AND THE CITY OF LANSING FORMED A JOINT CCAB IN 1990; AND

WHEREAS, THE APPLICATION AND PLAN FOR THE GRANT FUNDS MUST BE APPROVED BY BOTH GOVERNMENTAL BODIES, INGHAM COUNTY AND THE CITY OF LANSING;

WHEREAS, THE LANSING CITY COUNCIL SUPPORTS THE CONTINUATION OF THE CCAB, AND;

WHEREAS, THE TOTAL AMOUNT OF THE GRANT FUNDS

AVAILABLE ARE:

\$286,275 IN CCAB PLANS AND SERVICES  
\$610,280 FOR PROBATION RESIDENTIAL SERVICES

TOTAL: \$896,555.

NOW, THEREFORE, BE IT RESOLVED; THE LANSING CITY COUNCIL HEREBY AUTHORIZES THE CCAB TO PROCEED WITH THE APPLICATION PROCESS FOR GRANT MONIES FROM THE MICHIGAN DEPARTMENT OF CORRECTIONS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #380

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS A REVIEW OF THE ACTUAL EXPENDITURES FOR THE VARIOUS COMPONENTS OF THE CITY RECYCLING PROGRAM FROM INCEPTION THROUGH MARCH 31, 1997 REVEALED THAT THE ACTUAL COSTS INCURRED VARY SOMEWHAT FROM THE FEES CHARGED FOR THE COMPONENTS OF THE PROGRAM; AND

WHEREAS THE PUBLIC SERVICES COMMITTEE WISHES TO ADJUST THE FEE STRUCTURE TO REFLECT ACTUAL COSTS OF THE PROGRAM, AND CREATE AN ON-GOING REVIEW PROCESS FOR ADJUSTING THE FEES ON AN ANNUAL BASIS; AND

WHEREAS THE PUBLIC SERVICE DEPARTMENT CONCURS WITH THE FINDINGS AND RECOMMENDATIONS OF THE INTERNAL AUDITOR.

NOW, THEREFORE, BE IT RESOLVED THAT EFFECTIVE JULY 1, 1997 THE RECYCLING FEE STRUCTURE SHALL BE AS FOLLOWS:

RECYCLING COLLECTION & TRANSFER STATION	\$28.30
COMPOSTING OPERATIONS	\$12.80
P.E.C.& M.	\$ 6.40

BE IT FURTHER RESOLVED THAT THE FEE STRUCTURE IN FUTURE YEARS SHALL BE BASED ON THE LAST THREE FISCAL YEARS ACTUAL COSTS, AND ANY CHANGE TO THE FEE STRUCTURE SHALL BE RECOMMENDED IN THE BUDGET SUBMITTED BY THE MAYOR.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

### ORDINANCES FOR INTRODUCTION

#### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION

1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-8-97, 3500 N. M.L. KING BLVD., "A"  
RESIDENTIAL TO "H" LT. INDUSTRIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #381

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, JULY 28, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-8-97, 3500 N. M.L. KING BLVD., "A"  
RESIDENTIAL TO "H" LT. INDUSTRIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY RELATED ISSUES:

WILBUR LEE II OF 16937 SOUTH US 27 SPOKE IN SUPPORT OF A CITIZEN REVIEW BOARD.

JACKIE BOODRY OF 1508 E. MICHIGAN AVENUE SAID HER HOUSE BURNED DOWN AND SHE IS LOOKING FOR ASSISTANCE IN FINDING NEW HOUSING, FURNITURE, ETC.

WILLIE VAUGHN OF 3201 VIKING SAID THERE IS NO WAY HE COULD SEE THAT THE POLICE WERE IN THE RIGHT IN THE MELLING DROP FORGE INCIDENT.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT LAWN CARE COMPANIES ARE POISONING LANSING RESIDENTS AND THE CITY SHOULD MAKE THEM PAY A FEE FOR EVERY LAWN THEY SPRAY WITH CHEMICALS.

AMMAHAD SHEKARAKKI OF 902 WILLOW SAID THAT THE PETITION DRIVE FOR A CITIZENS REVIEW BOARD IS GOING WELL. HE SAID HE WAS INSULTED BY THE COMMENTS MADE BY A MEMBER OF THE PUBLIC AT LAST WEEK'S MEETING AND THAT PERSON SHOULD APOLOGIZE.

KIRK KUNKLEMAN OF 324 S. HAYFORD STATED THAT HE SUPPORTS THE PLAN FOR A CITIZENS REVIEW BOARD.

FRANK CURTIS X ALSO STATED HIS SUPPORT OF A CITIZENS REVIEW BOARD.

LARRY FULK OF 1811 DAVIS THANKS COUNCIL FOR THEIR TRIBUTE TO DICK LETTS LAST WEEK.

KRIS BARNCARD OF 120 W. WILLOW SAID THAT THE USE OF

ILLEGAL FIREWORKS IS GROWING IN LANSING. IN HER AREA, RESIDENTS ARE BEING KEPT AWAKE ALL NIGHT LONG WITH THE NOISE FROM FIRECRACKERS.

ALBERTA JORDAN OF 1649 GREENCREST, EAST LANSING, STATED HER SUPPORT FOR THE MARCH FOR JUSTICE.

ED SIMMER, NO ADDRESS GIVEN, SAID THAT HE DOESN'T AGREE WITH THE REPORT FROM THE BOARD OF POLICE COMMISSIONERS.

LLOYD TEETS OF 116 E. ELM STATED HIS SUPPORT FOR A CITIZENS REVIEW BOARD BECAUSE THE CURRENT BOARD OF POLICE COMMISSIONERS IS NOT INDEPENDENT.

CHARLENE DECKER OF 2711 PLEASANT GROVE SAID SHE DOES NOT AGREE WITH THE CONCLUSIONS REACHED BY THE BOARD OF POLICE COMMISSIONERS.

RUSSELL TERRY OF 121 E. MT. HOPE AVENUE SAID THAT WHEN HE IS MAYOR HE WILL MAKE SURE GASSING INCIDENTS DO NOT OCCUR.

CLYDE SMITH OF 2244 TECUMSEH RIVER DRIVE ASKED ALL RESIDENTS OF WARD 4 NOT TO SIGN THE PETITION FOR A CITIZENS REVIEW BOARD. HE SAID THERE IS NO SUPPORT FOR SUCH A BOARD IN THE 4TH WARD.

JOHN WILLIAM OF 634 CAMEO SAID CODE COMPLIANCE OFFICERS TRESPASSED ON HIS PROPERTY.

DAN LIEBMAN AND DANIEL WILLMAN, ATTORNEYS FOR JAMAIL EID, SAID THEY ARE STILL PURSUING RESTITUTION FOR THEIR CLIENT AFTER MONEY WAS STOLEN FROM HIM BY LANSING POLICE DETECTIVE OWEN DIETRICH.

LESTER STONE OF 1603 W. KALAMAZOO INFORMED CITY ATTORNEY SMIERKA THAT THE FULL TEXT OF THE CHARTER AMENDMENT FOR A CITIZEN REVIEW BOARD IS BEING ATTACHED TO EACH PETITION BEING CIRCULATED. HE IS APPALLED WITH THE BOARD OF POLICE COMMISSIONERS REPORT ON THE MELLING DROP FORGE INCIDENT; THIS IS WHY WE NEED A CITIZENS REVIEW BOARD.

DICK FISER OF 12100 S. CORK, MORRICE, THANKED THE COUNCIL FOR PASSAGE OF THE RESOLUTION ON CAVANAUGH ROAD.

HELEN FISER OF 12100 S. CORK, MORRICE, SAID THAT JOHNNY JORDAN HAS BEEN A BAD BOY IN HIS RESPONSE TO HER FREEDOM OF INFORMATION REQUESTS. HIS RESPONSES ARE NOT APPROPRIATE OR ACCEPTABLE TO HER.

### **CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

PEDDLER/TRANSIENT MERCHANT: ANTONE HADDAD

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE CITY ATTORNEY REGARDING CARMEN GARCIA V THE BOARD OF WATER & LIGHT OF THE CITY OF LANSING

RECEIVED AND PLACED ON FILE

4. LETTER FROM THE BOARD OF POLICE COMMISSIONERS SUBMITTING THEIR REPORT ON THE MELLING DROP FORGE TEAR GAS INCIDENT

REFERRED TO THE COMMITTEE OF THE WHOLE

5. LETTER FROM THE BOARD OF WATER & LIGHT REQUESTING DECLARATION OF SURPLUS PROPERTY FOR A PORTION OF WEXFORD RD. PROPERTY

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

6. LETTERS FROM THE MAYOR RE:

A/ TRANSFER OF FUNDS: LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B/ PUBLIC IMPROVEMENT V, ACTUAL COST - 1996 SIDEWALK REPAIR, SPECIAL ASSESSMENT ROLL #B-57,

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C/ REAPPOINTMENT OF KEN STOCKWELL TO THE PRINCIPAL SHOPPING DISTRICT BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D/ REAPPOINTMENT OF GWENDOLYN M. CONARTON TO THE PRINCIPAL SHOPPING DISTRICT BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

### **COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. MICHIGAN TAX TRIBUNAL CLAIMS FILED FOR: MANPOWER OF LANSING, GOOD WILL CO., INC., ELECTRONIC DATA SYSTEMS, FOREST DEVELOPMENT LIMITED PARTNERSHIP, GTECH CORP., AMERITECH SERVICES, INC., RIVERVIEW ASSOCIATES ONE LIMITED PARTNERSHIP, CONSUMERS ENERGY CO., TAS PARTNERSHIP IV, ATRIUM OFFICE

## PARTNERS

REFERRED TO THE CITY ATTORNEY

2. Z-15-97; 2605 TAYLOR ST., PETITION FOR REZONING FROM "H" LIGHT INDUSTRIAL TO "I" HEAVY INDUSTRIAL FILED BY GARY BAUMAN OF BEST AUTO TO ALLOW FOR DEVELOPMENT OF ADDITIONAL VEHICLE REPAIR FACILITIES AND SALVAGE YARD

REFERRED TO THE MAYOR AND THE PLANNING BOARD

3. LETTER FROM DEBBIE LUCAS OF 500 DORIS ST. PROTESTING SPECIAL ASSESSMENTS FOR CURB & GUTTER AND STORM SEWER FACILITIES ON DORIS ST.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

4. LETTERS FROM CHRISTINE TIMMON RE:

- CRITICISM FOR THE MANNER IN WHICH COUNCIL LEADERSHIP MANAGES PUBLIC COMMENTS
- NON POINT SOURCE POLLUTION - CAUSES AND SOLUTIONS
- CALLING FOR LEGISLATION TO PLACE THE RESPONSIBILITY FOR NPSP ON LAWN CARE COMPANIES

RECEIVED AND PLACED ON FILE

5. APPLICATIONS FOR NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATES FOR THE FERGUSON DEVELOPMENT LOCATED IN THE 1300 BLOCK OF TURNER ST.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

6. LETTER FROM BARON'S WINDOW COVERINGS OF 325 S. WASHINGTON IN SUPPORT OF AN APARTMENT DEVELOPMENT PROPOSED FOR JOLLY RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

7. STORMWATER APPEALS FILED BY: CARLOTTA DEVEREAUX OF 2029 MARY AVE., MARY R. HARDING OF 630 W. ROUSE,

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

8. COMPLAINT FROM DEBORAH DORR OF 3116 ELLEN ST. DEMANDING A REFUND OF HER 1996/97 SEWER SYSTEM CHARGES

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

9. Z-16-97; 113 PERE MARQUETTE, PETITION FOR REZONING FROM "H" LIGHT INDUSTRIAL TO "G-1" BUSINESS DISTRICT FILED BY ANGENINE INC. TO ALLOW FOR MAXIMIZED USE OF THE PROPERTY

REFERRED TO THE MAYOR AND THE PLANNING BOARD

10. NOTICE OF INTENT TO TAKE RESERVATIONS, DEVELOP UNITS AND RECORD MASTER DEEDS FOR EDEN GLEN CONDOMINIUMS FROM SCOTMAR TOWNHOMES, L.L.C.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

11. LATE ITEM FROM COUNCILMEMBER ALLEN: A LETTER FROM RON PREADMORE OF 4220 CHRISTIANSEN RD. REQUESTING REPAIR OF POTHOLES ON CHRISTIANSEN RD.

REFERRED TO THE TRAFFIC DEPARTMENT AND THE PUBLIC SERVICE COMMITTEE

12. LATE ITEM FROM COUNCILMEMBER ALLEN: A LETTER FROM CHRISTINE HANSEN OF 5431 CALVARY CIR. STATING HER OPPOSITION TO THE PROPOSED DEVELOPMENT PROJECT AT THE CORNER OF JOLLY AND CEDAR

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

13. LATE ITEM FROM COUNCILMEMBER ALLEN: A LETTER FROM BRIAN JACKSON OF 5648 ANNAPOLIS DR. OPPOSING THE INSTALLATION OF TRAFFIC CALMING DEVICES IN HIS NEIGHBORHOOD

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14. LATE ITEM FROM COUNCILMEMBER BENAVIDES: A LETTER OF APPRECIATION FROM THE CAPITAL REGION COMMUNITY FOUNDATION FOR THE TRIBUTE TO RICHARD LETTS

RECEIVED AND PLACED ON FILE

### MOTION OF EXCUSED ABSENCE

BY COUNCILMEMBER BENAVIDES

TO EXCUSE COUNCILMEMBER NOVAK FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER LEEMAN SAID THANK YOU TO RUSSELL SMITH FOR DOING THE TIME KEEPING TONIGHT

COUNCILMEMBER BAUER SAID THAT EVERYONE SHOULD READ THE RECENT STATE JOURNAL SERIES ON DEVELOPMENT IN LANSING. SHE ASKED WHAT CAN BE DONE ABOUT THE FIREWORKS PROBLEMS. THE CITY ATTORNEY EXPLAINED THE DIFFERENCE BETWEEN LEGAL AND ILLEGAL FIREWORKS IN LANSING AND SAID THAT RESIDENTS CANNOT DISTURB THE PEACE EVEN IF THEY ARE USING LEGAL FIREWORKS. LISA ESTLUND OLSON, CHIEF OF STAFF TO MAYOR HOLLISTER, SAID THAT THE FIRE DEPARTMENT DID VIGOROUS CHECKING OF THE PEDDLER'S STANDS SELLING FIREWORKS THIS YEAR AND FOUND THAT THEY WERE, BY AND LARGE, SELLING ONLY LEGAL FIREWORKS.

COUNCILMEMBER JONES ANNOUNCED THAT THE MOORES PARK POOL WILL BE OPEN BEGINNING JULY 8TH. HE SAID THAT THE RESULTS COMING IN FROM THE NAFTA AGREEMENT SHOW ARE NOT POSITIVE. THERE HAS BEEN INCREASED POLLUTION, INCREASED LOW PAYING JOBS AND A LARGER TRADE DEFICIT WITH MEXICO SINCE THIS AGREEMENT WAS

SIGNED.

COUNCILMEMBER BEAL THANKED THE SISTER CITIES DELEGATION FOR THE BEAUTIFUL GIFT. SHE SAID, REGARDING CHIEF BOLES RESIGNATION, THAT SHE HAD ALWAYS FOUND HIM TO BE PROFESSIONAL, STRAIGHT FORWARD AND HONEST. SHE WISHED HIM WELL IN HIS FUTURE ENDEAVORS. SHE ANNOUNCED THAT COMMITTEE OF THE WHOLE WILL MEET AT 4:00 P.M. ON THURSDAY.

**MAYOR'S EXECUTIVE ASSISTANT'S  
RESPONSE TO COMMENTS**

MR. WIENER THANKED COUNCILMEMBER BAUER AND THE SISTER CITY DELEGATION FOR REPRESENTING THE CITY SO WELL. THANKS TO EVERYONE WHO MADE THE 4TH OF JULY FESTIVITIES A BIG SUCCESS. CONDOLENCES TO THE KOSITCHEK FAMILY ON THEIR RECENT LOSS. REGARDING CHIEF BOLES' RESIGNATION, HE HAD A VERY DISTINGUISHED CAREER AND WE ALL WISH HIM WELL.

**ADJOURNED 9:30 P.M.**

**MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JULY 14, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: BEAL,

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE  
LED BY COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
JUNE 23, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER BENAVIDES:

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER BENAVIDES; A LETTER  
FROM THE LANSING-EATON NEIGHBORHOOD  
ORGANIZATION SUBMITTING A REQUEST FOR A CROSSING  
GUARD AT THE CORNER OF SHEFFIELD AND BAYVIEW

2. FROM COUNCILMEMBER JONES; A RESOLUTION OF  
TRANSFER OF FUNDS FROM THE WAYS AND MEANS  
COMMITTEE

3. FROM COUNCILMEMBER JONES; A LETTER FROM  
THE MAYOR ASKING FOR AN ADDITIONAL \$31,000  
APPROPRIATION AND TRANSFER OF FUNDS FOR THE  
RECOMMENDATIONS OF THE BLUE RIBBON PANEL ON  
LANSING PUBLIC SCHOOLS

4. FROM COUNCILMEMBER JONES; A RESOLUTION OF  
GRANT ACCEPTANCE FOR HUD FUNDS FOR AIDS/HIV  
HOUSING AND SUPPORTIVE SERVICES

5. FROM COUNCILMEMBER NOVAK; A RESOLUTION  
ESTABLISHING FEES FOR HAZARDOUS MATERIALS COST  
RECOVERY

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE

PORTION OF THE REGULAR MEETING TO WHICH  
THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES REMINDED THE AUDIENCE THAT  
THEY CAN VIEW THE REPLAY OF THE JUNE 2, 1997  
CITY COUNCIL MEETING, AT WHICH THE RESOLUTION  
AUTHORIZING AN INVESTIGATION INTO THE MELLING  
DROP FORGE TEAR GAS INCIDENT WAS PASSED, ON  
CHANNEL 28 THIS WEEK. THE WAYS AND MEANS  
COMMITTEE WILL TAKE UP THE QUESTION OF RFP'S  
(REQUESTS FOR PROPOSALS) FOR THIS INVESTIGATION.  
HE QUESTIONED MR. WIENER REGARDING THE SOURCES  
OF FUNDING FOR THE EPIC/MRA STUDY RESULTS THAT  
WERE PRINTED IN TODAY'S NEWSPAPER. HE SAID THAT  
HE WANTS INFORMATION AS TO WHETHER, OR NOT, THE  
CITY'S PUBLIC RELATION FIRM WAS INVOLVED IN THIS  
STUDY, OR WHETHER ANY OTHER CITY FUNDING WAS  
INVOLVED. THIS ARTICLE WAS SLANTED AND BIASED.  
HE ASKED FOR INFORMATION REGARDING THE FUNDING  
OF THE PUBLIC LIBRARY'S BOOKMOBILE PROGRAM.  
THE INTERNAL AUDITOR WILL BE WORKING WITH THE  
SCHOOL DISTRICT TO FIND A WAY TO PRESERVE THIS  
PROGRAM.

COUNCILMEMBER BAUER SAID THAT THE BALLOT ISSUE  
FOR FUNDING OF THE CAPITAL REGION PUBLIC  
LIBRARY, WHICH WILL APPEAR ON THE AUGUST 5,  
1997 CITY OF LANSING PRIMARY ELECTION BALLOT,  
HAS GENERATED A LOT OF INTEREST. THERE IS A  
PUBLIC FORUM ADDRESSING THIS ISSUE WHICH WILL AIR  
ON CONTINENTAL CABLEVISION ON FRIDAY, JULY 18 AT  
5:00 P.M., ON JULY 19, 1997 AT 7:00, AND JULY  
20, 1997 AT 7:00. A TAPED COPY OF THE FORUM  
IS AVAILABLE THROUGH CITY COUNCIL OFFICES. THE  
FORUM WAS SPONSORED BY "THE LEAGUE OF WOMEN  
VOTERS".

COUNCILMEMBER BENAVIDES ANNOUNCED THAT THIS  
SATURDAY, AT OLDSMOBILE PARK, IS THE "FIRST  
ANNUAL FIESTA DEL VERANO. THEY WILL HAVE FOOD,  
MUSIC AND ARTIFACTS. THERE WILL BE A CONCERT IN  
THE EVENING FEATURING THE SUPER GRUPO ALDACO.  
TICKETS ARE \$20.00

COUNCILMEMBER LEEMAN URGED EVERYONE TO ATTEND  
THE PERFORMANCE OF THE FLAG DANCING GROUP,  
TOMORROW AT 7:00 P.M. AT MOORES PARK. FOR  
MORE INFORMATION CALL 485-5025 AND SPEAK WITH  
BRENDA HULL. HE ANNOUNCED THE NEED FOR HOST  
FAMILIES FOR AUGUST 19 - 22, 1997. HE THANKED  
FIRE STATION #8 FOR HELPING WITH THE FLOWER  
WATERING PROJECT NEAR GROSBECK GOLF COURSE.

MAYOR HOLLISTER ANNOUNCED THAT THE FOSTER COMMUNITY CENTER WILL HOST A "SUMMER FUN FEST" THIS WEDNESDAY, JULY 16, AT THE CENTER. THE SESQUICENTENNIAL FESTIVITIES CONTINUE THIS WEEKEND WITH "TEA IN THE GARDEN" AT COOLEY GARDENS, "ART IN THE PARK" AT FERRIS PARK, THE "OLD TIMER'S BASEBALL GAME" TO BE PLAYED IN 1850 COSTUMES AND THE CITY LEAGUE EXHIBITION AT OLDSMOBILE PARK. THE FIRST ANNUAL "FIESTA DEL VERANO" WILL NECESSITATE THE BLOCKING OFF OF MICHIGAN AVE. HE ANNOUNCED THAT HE WILL BE REPORTING ON A "COMMUNITY BASED STRATEGY" WHICH IS THE REPORT OF THE BLUE RIBBON COMMITTEE ON EDUCATION AT THE FOREST VIEW SCHOOL TUESDAY, JULY 15, 1997 AT 4:15 P.M. HE COMMENDED THE LANSING SCHOOL DISTRICT FOR THEIR EXTREMELY COOPERATIVE ATTITUDE ON THIS PROJECT.

► SPECIAL CEREMONIES

A. CHERYL RISER, DIRECTOR OF THE LANSING NEIGHBORHOOD COUNCIL, WENDY MITCHELL, PRESIDENT OF THE BOARD OF DIRECTORS OF THE LANSING NEIGHBORHOOD COUNCIL, COUNCILMEMBERS JONES AND LEEMAN, ALONG WITH MAYOR HOLLISTER PRESENTED CERTIFICATES OF ACHIEVEMENT TO 1997 PAINT BLITZ PARTICIPANTS. THE REPRESENTATIVES FROM THE NEIGHBORHOOD COUNCIL PRESENTED MAYOR HOLLISTER AND COUNCILMEMBERS WITH TEE-SHIRTS COMMEMORATING THIS YEAR'S PAINT BLITZ EVENT.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC  
HEARINGS:

DARNELL OLDHAM OF 3815 BERWICK SAID THAT HE HOPES THAT CITY COUNCIL IS NOT TRYING TO MAKE ANY CHANGES TO THE PUBLIC SPEAKING RIGHTS OF RESIDENTS IN THE RESOLUTION SETTING THE COUNCIL MEETING SCHEDULE FOR THE SECOND 6 MONTHS OF 1997.

► PUBLIC COMMENT ON LEGISLATIVE MATTERS

THERE WERE NO PUBLIC COMMENTS ON LEGISLATIVE MATTERS.

**LEGISLATIVE MATTERS  
RESOLUTIONS**

**RESOLUTION #383**

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLUTION APPROVING A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE ON BEHALF OF DAVID FERGUSON FOR PROPERTY LOCATED IN THE 1300 BLOCK OF TURNER STREET, LANSING, MICHIGAN.

WHEREAS, THE CITY OF LANSING ESTABLISHED THE NEIGHBORHOOD ENTERPRISE ZONES (NEZ) BY RESOLUTION #282 PASSED MAY 27, 1997; AND

WHEREAS, 44 APPLICATIONS WERE FILED WITH THE CITY OF LANSING ON JULY 3, 1997, BY DAVID FERGUSON ON BEHALF OF FERGUSON DEVELOPMENT L.C.C. FOR THE 1300 BLOCK OF TURNER STREET LOCATED IN THE NEIGHBORHOOD ENTERPRISE ZONE NO. 1 TURNER STREET, FOR NEW FACILITIES AS LISTED BELOW; AND

1305 TURNER STREET	1307 TURNER STREET
1309 TURNER STREET	1311 TURNER STREET
1313 TURNER STREET	1315 TURNER STREET
1317 TURNER STREET	1319 TURNER STREET
1321 TURNER STREET	1323 TURNER STREET
1325 TURNER STREET	1327 TURNER STREET
1329 TURNER STREET	1331 TURNER STREET
1333 TURNER STREET	1335 TURNER STREET
1337 TURNER STREET	1339 TURNER STREET
1341 TURNER STREET	1343 TURNER STREET
1345 TURNER STREET	1347 TURNER STREET
1349 TURNER STREET	1351 TURNER STREET
1353 TURNER STREET	1355 TURNER STREET
1357 TURNER STREET	1359 TURNER STREET
1361 TURNER STREET	1363 TURNER STREET
1365 TURNER STREET	202 DODGE RIVER DR
210 DODGE RIVER DR	212 DODGE RIVER DR
214 DODGE RIVER DR	216 DODGE RIVER DR
218 DODGE RIVER DR	220 DODGE RIVER DR
222 DODGE RIVER DR	224 DODGE RIVER DR
226 DODGE RIVER DR	228 DODGE RIVER DR
230 DODGE RIVER DR	232 DODGE RIVER DR

WHEREAS, THE PRIMARY PURPOSE OF THE DEVELOPMENT IS FOR USE AS RESIDENTIAL CONDOMINIUMS;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL FINDS THAT THE APPLICATIONS COMPLY WITH PUBLIC ACT 147 OF 1992, AND HEREBY APPROVES THE ISSUANCE OF NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATES FOR THE ABOVE DESCRIBED PROPERTIES AND PROJECT.

BE IT FURTHER RESOLVED THE CITY CLERK IS HEREBY REQUESTED TO FORWARD THE APPLICATION AND A CERTIFIED COPY OF THE RESOLUTION TO THE STATE TAX COMMISSION.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #384**

BY THE DEVELOPMENT & PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RE: ACT-13-93 - 1100 BLK. W. HILLSDALE,  
VACATION OF ROW, AMENDMENT TO EASEMENT  
RESERVATION.

WHEREAS, IN 1993, THE CITY OF LANSING VACATED

THE RIGHT OF WAY (ROW) AT THE 1100 BLK. OF W. HILLSDALE (ACT-13-93) FOR THE CONSTRUCTION OF A NEW UNION MISSIONARY BAPTIST CHURCH FACILITY AND RETAINED A 661 UTILITY EASEMENT IN THE VACATED ROW; AND

WHEREAS, THE UNION MISSIONARY BAPTIST CHURCH REQUESTS THE NORTH 18' OF THE 661 UTILITY EASEMENT BE CANCELED FOR THE PURPOSE OF CONSTRUCTION OF ITS NEW CHURCH; AND

WHEREAS, ON JUNE 3, 1997, THE PLANNING BOARD REVIEWED THE LOCATION, CHARACTER AND EXTENT OF THIS PROJECT, ACCORDING TO ACT 285 OF 1931, AS AMENDED, AND FOUND THAT THIS PROJECT IS SUPPORTED BY THE SEVEN BLOCK PLAN, AND HAS NO LAND USE IMPACTS OTHER THAN TO FACILITATE THE COMPLETION OF THE UNION MISSIONARY BAPTIST CHURCH BUILDING; AND

WHEREAS, NO ONE SPOKE IN OPPOSITION TO THIS PROPOSAL, AT THE JUNE 3, 1997 PLANNING BOARD MEETING AND THE BOARD VOTED UNANIMOUSLY (6-0) TO RECOMMEND APPROVAL OF THE AMENDMENT TO ACT-13-93, TO REDUCE THE UTILITY EASEMENT BY AT LEAST 181 TO ACCOMMODATE THE CHURCH BUILDING, PROVIDED THAT SUITABLE ARRANGEMENTS CAN BE MADE WITH THE UTILITY AGENCIES TO RELOCATE UTILITIES AS NECESSARY AT THE APPLICANT'S EXPENSE; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING REVIEWED THE REPORT AND RECOMMENDATION OF THE PLANNING BOARD AND CONCURS THEREWITH;

NOW, THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY AUTHORIZES THE CANCELLATION AND RELEASE OF THE NORTH 181 OF THE UTILITY EASEMENT IN THE VACATED ROW IN THE 1100 BLOCK OF W. HILLSDALE STREET, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 18' OF THE FORMER WEST HILLSDALE STREET ROW LYING WITHIN ASSESSOR'S PLAT NO. 42 OF REPLAT OF DICKERMAN'S ADDITION ON THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, COMMENCING AT THE NORTHEAST CORNER OF LOT 62, THENCE NORTHEASTERLY TO THE SOUTHWEST CORNER OF LOT 12, THENCE EAST TO A POINT 89 FEET EAST OF THE SOUTHWEST CORNER OF LOT 3, THENCE SOUTHWESTERLY TO A POINT 39 EAST OF THE NORTHWEST CORNER OF LOT 75, THENCE WEST TO THE PLACE OF BEGINNING.

BE IT FINALLY RESOLVED, THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESAID RELEASE OF EASEMENT, SUBJECT TO PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #385

COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, COMPLETE DOCUMENTATION ON THE DETAILS OF THE PROPOSED SALE OF A CERTAIN PARCEL OF REAL PROPERTY AT 4323 WEST SAGINAW, DELTA TOWNSHIP, EATON COUNTY, MICHIGAN AND DECLARED BY THE BOARD OF WATER AND LIGHT (BWL) BY RESOLUTION #97-1-7 TO BE SURPLUS REAL PROPERTY NOT REQUIRED FOR ITS OPERATIONS, IS ON FILE IN THE OFFICE OF THE CITY CLERK PURSUANT TO CHARTER AND ORDINANCE REQUIREMENTS;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, AUGUST 4, 1997 AT 7:00 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON THE PROPOSED SALE OF SAID REAL PROPERTY, LEGALLY DESCRIBED AS:

LOTS 9 AND 10 IN MEADOWLAWN SUBDIVISION IN NE 1/4 OF SECTION 13 T4N, R3W, CHARTER TOWNSHIP OF DELTA, EATON COUNTY, STATE OF MICHIGAN, SUBJECT TO THE RIGHTS OF ALL EASEMENTS AND RESTRICTIONS OF RECORD, PURSUANT TO THE DOCUMENTS DETAILING THE SALES ON FILE WITH THE CITY CLERK.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #386

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLUTION OF SUPPLEMENTAL INFORMATION TO NEIGHBORHOOD ENTERPRISE ZONE RESOLUTION #282 PASSED MAY 27, 1997

WHEREAS, THE CITY OF LANSING ESTABLISHED THE NEIGHBORHOOD ENTERPRISE ZONES (NEZ) BY RESOLUTION #282 PASSED MAY 27, 1997 AND BY THIS RESOLUTION INTENDS TO PROVIDE NAMES FOR THE ZONES DESIGNATED IN THE ORIGINAL RESOLUTION FOR CONVENIENCE IN FILING LOCAL APPLICATIONS AND PROCESSING BY THE STATE TAX COMMISSION;

NOW, THEREFORE, BE IT RESOLVED THAT TO SUPPLEMENT THE NEIGHBORHOOD ENTERPRISE ZONES RESOLUTION #282 PASSED MAY 27, 1997 THE NEIGHBORHOOD ENTERPRISE ZONES THEREIN ESTABLISHED ARE HEREBY NAMED AS FOLLOWS:

## ► FOR THE REHABILITATION NEZS:

1. KINGSLEY SOUTH NEIGHBORHOOD BORDERED BY MICHIGAN AVENUE ON THE NORTH, M.L. KING BLVD. ON THE EAST, W. ST. JOSEPH ST. ON THE SOUTH AND JENISON ST. ON THE WEST.

2. P.L.A.C.E. AND SHEPARD NEIGHBORHOOD BORDERED BY MICHIGAN AVE. ON THE NORTH, SHEPARD ST. (BOTH SIDES) ON THE EAST, KALAMAZOO ST. ON THE SOUTH AND CLIFFORD ST. (BOTH SIDES) ON THE WEST.

3. POTTER/WALSH NEIGHBORHOOD BORDERED BY MAIN ST. ON THE NORTH, CLEMENS ST. ON THE EAST, THE GRAND TRUNK RAILROAD TRACKS ON THE SOUTH AND HOLMES ST. ON THE WEST.

4. SHIAWASSEE/MICHIGAN NEIGHBORHOOD BORDERED BY SHIAWASSEE ST. ON THE NORTH, M.L. KING BLVD. ON THE EAST, W. MICHIGAN AVE. ON THE SOUTH AND JENISON ST. ON THE WEST.

5. N. PENNSYLVANIA CORRIDOR BORDERED BY PENNSYLVANIA AVE. ON THE EAST, PENNSYLVANIA AVE. ON THE WEST, EAST GRAND RIVER AVE. ON THE NORTH, AND MICHIGAN AVE. ON THE SOUTH.

6. S. PENNSYLVANIA CORRIDOR BORDERED BY PENNSYLVANIA AVE. ON THE EAST, PENNSYLVANIA AVE. ON THE WEST, MICHIGAN AVE. ON THE NORTH, AND I-496 ON THE SOUTH.

## ► FOR THE NEW CONSTRUCTION NEZS:

1. TURNER STREET LOCATED ON THE SOUTHWEST CORNER OF TURNER AND DODGE RIVER DRIVE AT THE 1300 BLOCK OF NORTH TURNER ST.

2. CAPITOL AVE. B - I SITE LOCATED ON PARKING LOT #2, THE B-I SITE IN THE NORTH HALF OF THE 300 BLOCK OF N. CAPITOL AVE.

3. E. SAGINAW STREET/PRUDDEN WHEEL BUILDING LOCATED AT THE OLD PRUDDEN WHEEL BUILDING AT 725 E. SAGINAW.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #387**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM Ms. INEZ CLARK OF 915 S. DEXTER TO INSTALL STOP CONTROL AT THE INTERSECTION OF S. DEXTER DRIVE AND PLYMOUTH DRIVE. Ms. CLARK EXPRESSED CONCERNS ABOUT THE HIGH SPEEDS OF VEHICULAR TRAFFIC THROUGH THIS INTERSECTION DUE TO ITS UNUSUAL GEOMETRIES;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THIS INTERSECTION;

WHEREAS, BASED UPON THE RESULTS OF THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD FORWARDED NO RECOMMENDATION BASED ON A FOUR TO ONE VOTE IN FAVOR OF THE TRANSPORTATION DIVISION'S RECOMMENDATION;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER No. 96-047 THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO A INSTALL STOP SIGN ON THE EAST LEG OF S. DEXTER DRIVE FOR WESTBOUND TRAFFIC AT THE INTERSECTION OF PLYMOUTH DRIVE;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER No. 96-047 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, FILED WITH THE CITY CLERK AND THE APPROPRIATE SIGN IS ERECTED.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #388**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS RE-APPOINTED DENISE FOLTZ, 401 N. CLEMENS STREET, TO FILL A VACANCY IN THE FIRST WARD SEAT ON THE TRAFFIC BOARD, FOR A TERM TO EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS INTERVIEWED THE APPOINTEE AND FOUND HER TO BE QUALIFIED TO SERVE ON THIS BOARD;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE RE-APPOINTMENT OF DENISE FOLTZ TO THE FIRST WARD SEAT ON THE TRAFFIC BOARD, FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #389**  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS RE-APPOINTED ROGER HAYNES, 616 N. WALNUT STREET, TO FILL A VACANCY IN AN AT-LARGE SEAT ON THE TRAFFIC BOARD, FOR A TERM TO EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS INTERVIEWED THE APPOINTEE AND FOUND HIM TO BE QUALIFIED TO SERVE ON THIS BOARD;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE RE-APPOINTMENT OF ROGER HAYNES TO AN AT-LARGE SEAT ON THE TRAFFIC BOARD, FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #390**  
BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED THE FINAL SIX MONTHS SCHEDULE FOR CITY COUNCIL MEETINGS IN 1997 IS AS FOLLOWS:

MONDAY JULY 7, 1997  
MONDAY JULY 14, 1997  
MONDAY JULY 21, 1997  
MONDAY JULY 28, 1997  
MONDAY AUGUST 4, 1997  
MONDAY AUGUST 11, 1997  
MONDAY AUGUST 18, 1997  
MONDAY AUGUST 25, 1997  
TUESDAY SEPTEMBER 2, 1997  
MONDAY SEPTEMBER 8, 1997  
MONDAY SEPTEMBER 15, 1997  
MONDAY SEPTEMBER 22, 1997  
MONDAY SEPTEMBER 29, 1997  
MONDAY OCTOBER 6, 1997  
MONDAY OCTOBER 13, 1997  
MONDAY OCTOBER 20, 1997  
MONDAY OCTOBER 27, 1997  
MONDAY NOVEMBER 3, 1997  
MONDAY NOVEMBER 10, 1997  
MONDAY NOVEMBER 17, 1997  
MONDAY NOVEMBER 24, 1997  
MONDAY DECEMBER 1, 1997  
MONDAY DECEMBER 8, 1997  
MONDAY DECEMBER 15, 1997

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #391**  
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 98 TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$20,000	ESTIMATED REVENUE- INFRASTRUCTURE FUND 410-0-170001-0	LUGNUT FOUNTAIN 410- 933890-974000-43847

(DONATION FROM CAPITAL REGION COMMUNITY FOUNDATION VIA OLDSMOBILE PARK YOUTH CHARITIES FUND FOR SUPPORT TO THE LUGNUT FOUNTAIN AT OLDSMOBILE PARK.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$16,200	EST REV-STATE & FED PROG 273-0-170001-0	CENTER FOR THE ARTS- 97MCACA 273-784101- 960000-17507

MICHIGAN ARTS AND CULTURAL AFFAIRS GRANT FOR REPAIR OF MAINTENANCE PROBLEMS WITH CENTER FOR THE ARTS ROOF REVENUE DETAIL ACCOUNTS 273-0-527001 (FEDERAL, \$900), 273-0-579101 (STATE, \$15,300.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$20,200	EST REV-STATE AND FED PROG 273-0-170001-0	IMPRESSION V-97MCACA 273-784101-960000- 17506

(MICHIGAN ARTS AND CULTURAL AFFAIRS GRANT FOR REPLACEMENT OF WINDOWS AT IMPRESSION V MUSEUM. REVENUE DETAIL ACCOUNTS 273-0-527001-0 (FEDERAL, \$1,200), 273-0-579101-0 (STATE, \$19,000).)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$731,900	ESTIMATED REVENUE- STATE AND FEDERAL PROGRAMS 273-0- 170001-0	
\$619,900		MDOT-97-5154 CAVANAUGH RD. 273- 933601-974103-18827
\$112,000		MDOT-97-5154 FORCE ACCT. BWL 273- 933601-974106- 18827

(REVENUE DETAIL ACCOUNT 273-0-501001-18827. FEDERAL FUNDING FOR RECONSTRUCTION OF CAVANAUGH RD. CITY MATCH (\$162,300) FROM 202-453601-974100-50002, MAJOR MAINT., AND CITY SHARE OF SANITARY SEWERS.)

AND;

THAT THE FOLLOWING FY 97 TRANSFER BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,821	ESTIMATED REVENUE- STATE & FEDERAL PROGRAMS 273-0- 170001-0	TRAINING-P.A. 302 60K 273-343212-747000-143 10

(P.A. 302 TRAINING MONIES, FROM STATE OF MICHIGAN, TOTAL IN EXCESS OF ORIGINAL APPROPRIATION. REVENUE DETAIL ACCOUNT 273-0-5 73 010-143 1 0.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #392

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, IT IS THE OBJECTIVE OF THE CITY OF LANSING TO WORK IN PARTNERSHIP WITH OTHER ORGANIZATIONS TO PROVIDE THE OPPORTUNITY FOR SAFE AND DECENT HOUSING IN THE COMMUNITY AND OTHER SUPPORTIVE SERVICES TO ALL CITIZENS; AND

WHEREAS, THE CITY, IN PARTNERSHIP WITH THE LANSING AREA AIDS NETWORK, HAS PREPARED AN APPLICATION TO BE SUBMITTED TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A GRANT IN THE AMOUNT OF \$600,000.00 TO FINANCE A THREE (3) YEAR PROGRAM THAT WILL PROVIDE LONG TERM HOUSING AND SUPPORTIVE SERVICES TO LANSING AREA HIV/AIDS PATIENTS AND THEIR FAMILIES; AND

WHEREAS, THE PROGRAM IS PROPOSED TO INCLUDE DIRECT SERVICES TO CLIENTS AND THEIR FAMILIES SUCH AS COUNSELING AND HEALTH SERVICES, RENT AND MORTGAGE PAYMENT ASSISTANCE AND UTILITY PAYMENT ASSISTANCE WITH THE OBJECTIVE OF MAINTAINING AN INDEPENDENT LIVING SITUATION AND CONTINUUM OF CARE FOR THOSE FAMILIES; AND

WHEREAS, THE CITY WILL SERVE AS THE GRANTEE FOR THE FUNDS AND THE LANSING AREA AIDS NETWORK WILL SERVE AS SPONSOR OF THE PROGRAM AS A SUB-RECIPIENT OF THE CITY; AND

WHEREAS, NO MATCH IS REQUIRED FOR THE GRANT;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL AUTHORIZE THE ADMINISTRATION TO APPLY FOR THE GRANT, AND TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE GRANT APPLICATION.

BE IT FINALLY RESOLVED THAT THE CITY COUNCIL SHALL CONDUCT A FINAL REVIEW OF THE GRANT AGREEMENT, SHOULD THE APPLICATION BE APPROVED BY HUD AND THE FUNDS OFFERED TO THE CITY, AND GIVE FINAL APPROVAL PRIOR TO THE ADMINISTRATION SIGNING THE FINAL DOCUMENTS TO ACCEPT THE GRANT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

### ORDINANCES FOR INTRODUCTION

#### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-10-97, 516 TISDALE AVENUE, "B"  
RESIDENTIAL TO "J" PARKING DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #393

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, AUGUST 4, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-10-97, 516 TISDALE AVENUE, "B"  
RESIDENTIAL TO "J" PARKING DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-11-97, 615 AND 617 E. MICHIGAN AVE.,  
"H" LT. INDUSTRIAL TO "G-1" BUSINESS  
DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #394

BY COUNCILMEMBER LILLY

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, AUGUST 4, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-11-97, 615 AND 617 E. MICHIGAN AVE.,  
"H" LT. INDUSTRIAL TO "G-1" BUSINESS  
DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-9-97, JOLLY RD. BET. JOLLY-CEDAR &  
SKOOG CT., "F" COMMERCIAL & "G-2"  
WHOLESALE DISTRICTS TO "DM-1"  
RESIDENTIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

**RESOLUTION #395**

BY COUNCILMEMBER LILLY

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, AUGUST 11, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-9-97, JOLLY RD. BET. JOLLY-CEDAR &  
SKOOG CT., "F" COMMERCIAL & "G-2"  
WHOLESALE DISTRICTS TO "DM-1"  
RESIDENTIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

CARRIED UNANIMOUSLY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-07-97; 315 E. JOLLY RD., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-07-97; 315 E. JOLLY RD., BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER,  
BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBER BEAL

BY COUNCILMEMBER LILLY

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

**ORDINANCE #2412A**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-7-97, 315 E. JOLLY ROAD

PARCEL NUMBERS: PPNs 3301-33-452-024 AND -043.

LEGAL DESCRIPTION: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 33, TOWN 4 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT WHICH IS 38.00 FEET NORTH AND 696.00 FEET EAST OF THE SOUTH 1/4 CORNER OF SECTION 33, TOWN 4 NORTH, RANGE 2 WEST, THENCE NORTH 00010'10" EAST, 272.78 FEET, THENCE SOUTH 89039'03" EAST 96.48 FEET; THENCE SOUTH 00017'58" WEST 29.30 FEET TO THE CENTER OF A COMMON WALL; THENCE SOUTH 89039'03" EAST, 155.80 FEET, THE FIRST 111.10 FEET OF WHICH ARE ALONG THE CENTER OF SAID WALL; THENCE SOUTH 00017'58" WEST, 79.43 FEET TO A POINT 8.38 FEET SOUTH AND 57.40 FEET EAST OF THE SOUTHEAST CORNER OF A BRICK BUILDING ON THE PROPERTY; THENCE DUE EAST, 163.48 FEET; THENCE SOUTH 00012'55" EAST, 162.90 FEET; THENCE DUE WEST 416.69 FEET ON THE NORTH RIGHT OF WAY LINE OF JOLLY ROAD TO THE POINT OF BEGINNING.

FROM "F" COMMERCIAL, "G-2" WHOLESALE AND "J" PARKING DISTRICTS TO "F" COMMERCIAL DISTRICT. "F" COMMERCIAL DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER LILLY

MARILYNN SLADE, CITY CLERK

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY RELATED MATTERS

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SPOKE REGARDING THE CAUSES AND THE AFFECT OF NON-POINT SOURCE POLLUTION ON THE CSO PROJECT. SHE URGED COUNCILMEMBERS TO MAKE LAWN CARE COMPANIES TAKE RESPONSIBILITY FOR THE PORTION OF POLLUTION THEY HAVE CAUSED TO OUR RIVERS LAKES

AND STREAMS.

KIRK KUNKLEMAN OF 324 S. HAYFORD URGED EVERYONE TO SUPPORT THE PETITIONS TO ESTABLISH A CITIZENS REVIEW BOARD. HE COMMENDED MAYOR HOLLISTER ON THE JOB HE HAS DONE AS OUR MAYOR AND SAID WE SHOULD RE-ELECT HIM.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. ENQUIRED AS TO THE STATUS OF THE RECOMMENDATIONS MADE BY THE MARCH FOR JUSTICE IN JANUARY OF THIS YEAR. HE ADVOCATED SERIOUS CHANGES IN THE JUSTICE SYSTEM, THE COURT SYSTEM AND THE JAIL SYSTEM, BECAUSE, IN HIS OPINION, JUSTICE HAS NOT BEEN ADMINISTERED PROPERLY.

ED SIMMER OF 2609 DIER STATED HIS OPINION OF A CANDIDATE RUNNING FOR THE SECOND WARD COUNCIL SEAT.

RICHARD LEEPER, NO ADDRESS GIVEN, SPOKE REGARDING HOUSING DIFFICULTIES IN INGHAM COUNTY. HE URGED CITY COUNCIL TO BUY, OR RENT THE PROPERTY AT 200 S. FRANCIS AND REHABILITATE IT TO BE USED BY HOMELESS INDIVIDUALS.

ALBERTA JORDAN, NO ADDRESS GIVEN, URGED EVERYONE TO SIGN THE PETITIONS TO ESTABLISH A CITIZENS REVIEW BOARD. SHE CRITICIZED THE CITY CLERK FOR STATING HER (JORDAN'S) HOME ADDRESS DURING LAST WEEK'S MEETING. SHE WARNED EVERYONE THAT SHE HAS TWO "BETSIES" AT HER HOUSE.

KAY CARTER OF 402 CARRIER SAID THAT HER 1995 STORMWATER ENTERPRISE FEE WAS PLACED ON HER TAX STATEMENT FOR THIS YEAR AS A DELINQUENT BILL. SHE URGED EVERYONE, WHO IS IN THE SAME SITUATION, TO PROTEST.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, MI, SPEAKING ON BEHALF OF WALTER JONES, SAID THAT HE, TOO, HAS HAD HIS STORMWATER ENTERPRISE FEE FROM 1995 PLACED ON HIS TAX STATEMENT AS A DELINQUENT FEE. SHE CHALLENGED THE AUTHORITY OF THE CITY TO PLACE THESE BILLS ON RESIDENTS TAX STATEMENTS AS DELINQUENT, BECAUSE THEY ARE IN THE APPEALS PROCESS. ON THURSDAY, JULY 17, 1997 THE CITY IS HOLDING A CLAIMS REVIEW HEARING AT WHICH THESE CLAIMS WILL BE HEARD. SHE INVITED EVERYONE INTERESTED IN THIS PROCESS TO ATTEND. SHE EXPRESSED HER FRUSTRATION WITH THE WAY IN WHICH THE GENERAL SERVICES COMMITTEE IS HANDLING THE STORMWATER ENTERPRISE FEE APPEALS PROCESS. PEOPLE ARE NOT BEING NOTIFIED OF WHEN THEIR APPEALS ARE BEING HEARD.

LEONA SHERWOOD OF 3130 FELT ST. STATED THAT HER DELINQUENT STORMWATER ENTERPRISE FEE WAS PLACED ON HER TAX BILL AS A LIEN. THIS SHOULD NOT BE ALLOWED. SHE LIVES AT THE CORNER OF CARRIER AND FELT ST. AND DOES NOT HAVE A STORM SEWER, SIDEWALKS, OR GUTTER. THE ROAD THERE IS SO BAD THEY CANNOT DRIVE DOWN IT. PEOPLE IN THE



NEIGHBORHOOD HAVE DONE THEIR OWN REPAIRS, BECAUSE THE CITY DOES NOT DO THEM.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. THANKED JERRY BOLEC, CHIEF OF POLICE FOR HIS ASSISTANCE OVER THE YEARS WHEN HE HAS BROUGHT ISSUES TO HIS ATTENTION. HE WISHED CHIEF BOLES AND THE BOLES FAMILY THE BEST IN HIS RETIREMENT YEARS. THE REAL CULPRIT, HE SAID, IS MAYOR HOLLISTER, AND HE MUST TAKE RESPONSIBILITY FOR THE MELLING FORGING TEAR GAS INCIDENT. HE DEMANDED TO KNOW IF THE CITY'S PR FIRM MADE ANY CONTRIBUTION TO THE EPIC/MRI POLL THAT WAS RELEASED IN TODAY'S PAPER. HE DESCRIBED THE BOARD OF POLICE COMMISSIONERS AS PUPPETS TO THE POLICE DEPARTMENT AND TO MAYOR HOLLISTER.

GRETCHEN COCHRAN OF 403 N. SYCAMORE, A MEMBER OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION, URGED THE PUBLIC'S ATTENDANCE AT THE ART IN THE PARK EVENT AT FERRIS PARK THIS COMING WEEKEND. FERRIS PARK IS LOCATED WITHIN THE BOUNDARIES OF PINE, WALNUT, SHIawassee, AND GENESEE STREETS. THERE WILL BE A VARIETY OF CRAFTS AND CRAFTSMEN AND THEIR WARES AVAILABLE, INCLUDING; POTTERS, BASKET MAKERS, WOOD CARVERS, STORY TELLERS, A BLUE GRASS BAND AND A PUPPET THEATRE. THERE WILL BE PAINTING ON THE SIDEWALKS BY PARTICIPANTS. THIS IS A FREE EVENT.

ROBERT LIPPENCOTT OF 428 CARRIER STATED THAT THE CITY HAS SENT HIM STORMWATER ENTERPRISE FEES ADDRESSED TO "OCCUPANT", IN ADDITION TO STORMWATER ENTERPRISE FEES ADDRESSED TO HE AND HIS WIFE. THE PUBLIC SERVICE DEPARTMENT HAS ADVISED HIM THAT HE HAS TO PAY THEM BOTH.

RUSSELL TERRY OF 121 E. MT. HOPE SPOKE REGARDING THE ARTICLE WRITTEN ABOUT HIM IN THE STATE JOURNAL. HE CRITICIZED MAYOR HOLLISTER, SAYING, THAT HE SHOULD NOT HAVE DROPPED THE PROSECUTION OF THE EARLY RETIREMENT SYSTEM.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. SPOKE REGARDING THE GASSING INCIDENT AT MELLING DROP FORGE. SHE CRITICIZED THE REPORT OF THE BOARD OF POLICE COMMISSIONERS ON THIS INCIDENT, CALLING IT "BIASED".

MICHAEL J. SIMON OF 310 SEYMOUR COMMENDED AND PRAISED CITY COUNCIL AND MAYOR HOLLISTER.

GLEN FREEMAN OF THE GREATER LANSING LABOR COUNCIL AT 419 S. WASHINGTON, SAID THAT HE LIVES IN DELTA TOWNSHIP. HE IS HERE TO CLEAR UP A MISUNDERSTANDING OVER WHERE THE UNION STANDS WITH REGARD TO THE MELLING INCIDENT. THE STRIKERS COULD NOT UNDERSTAND WHAT THE POLICE WERE SAYING. THE INVESTIGATION OF THIS INCIDENT WAS INCOMPLETE AND COMPLETELY IMPROPER. THE BOARD OF POLICE COMMISSIONERS CANNOT FIND FAULT WITH THE POLICE DEPARTMENT. THEY HAVE CONSISTENTLY FOUND THE POLICE DEPARTMENT TO BE IN THE RIGHT ON ISSUES. NOBODY IS ALWAYS RIGHT.

HE CALLED FOR AN END TO THE USE OF TEAR GAS AS A MEDIUM FOR CROWD CONTROL.

LeROY MCKNIGHT OF 3218 HOLIDAY SAID THAT HE HAS ASKED COUNCIL NOT TO MOVE FORWARD ON THEIR INVESTIGATION OF THE MELLING INCIDENT. HE HAS CHANGED HIS MIND ON THIS MATTER, AND WOULD NOW LIKE THE INVESTIGATION TO PROCEED. THE DEMOCRATIC PARTY HAS ACTED IN SUPPORT OF THE MELLING FORGING CO. STRIKERS AS LATE AS LAST FEBRUARY. THE MAYOR AND THE COUNCIL SHOULD REMEMBER THIS.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #396 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-7-97, 315 EAST JOLLY ROAD, FROM "F" COMMERCIAL, "G-211 WHOLESALE AND "J" PARKING DISTRICTS TO "IF" COMMERCIAL DISTRICT;

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED, AND THAT THE Z-7-97 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

### RESOLUTION #397 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED A REQUEST TO VACATE A PORTION OF BANCROFT COURT;

REPORTS AS FOLLOWS: THE COMMITTEE RECEIVED A LETTER FROM THE TRANSPORTATION ENGINEER REQUESTING THAT ADDITIONAL ACTION BE TAKEN FOR THE VACATION OF BANCROFT COURT. THE COMMITTEE IS REQUESTING THAT THE TRANSPORTATION ENGINEER WORK WITH THE PLANNING DEPARTMENT, CITY ATTORNEY, AND THE NEIGHBORHOOD TO DEVELOP AN ACCEPTABLE SOLUTION.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.  
CARRIED UNANIMOUSLY

**CITY OFFICERS & BOARD REPORTS**

## 1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

## 2. LETTERS FROM THE CITY ATTORNEY RE:

## A. BARBARA SCOTT V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. DISMISSAL AND SETTLEMENT AGREEMENT IN THE MATTER OF JANET & JERRY LAZAR V CITY OF LANSING

RECEIVED AND PLACED ON FILE

## 3. LETTERS FROM THE MAYOR RE:

A. PUBLIC IMPROVEMENT II & PUBLIC IMPROVEMENT III, PAULSON ST. CURB & GUTTER & STORM SEWER, P.S. #16068, ASSESSMENT ROLL #338

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. ACCEPTANCE OF PERMANENT EASEMENT - JOHNSON DRAIN

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. TRANSFER OF FUNDS; PARKS & RECREATION DEPT.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. LETTER OF APPRECIATION FROM MARA T. LUD, LANSING SCHOOL DISTRICT TO LPD OFFICERS CONNIE BIRDSLEY & MICHELLE BRYANT

RECEIVED AND PLACED ON FILE

E. REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS FROM THE DOWNTOWN NEIGHBORHOOD ASSOCIATION FOR SUNDAY IN THE PARK AT FERRIS PARK ON JULY 20, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

F. SUSPENSION ITEM FROM COUNCILMEMBER NOVAK; A RESOLUTION ESTABLISHING FEES FOR HAZARDOUS MATERIALS COST RECOVERY

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

**COMMUNICATIONS AND PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. STORMWATER ENTERPRISE FEE APPEALS FROM: RON PREADMORE 4220 CHRISTIANSEN RD., STEVEN L. JOHNS-BOEHME 3301-17-184-181-6 & 1539 SPENCER ST., WILLIAM BRANDON 817 S. DEXTER DR., EDWARD & KATHRYN CARTER 403 CARRIER ST. MARGARET & ROBERT LIPPINCOTT 428 CARRIER ST.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

2. LETTER FROM RICHARD CHRISTMAS OF 1300 W. SHIAWASSEE REQUESTING OBSERVANCE OF NATIONAL APOLLO ANNIVERSARY OBSERVANCE WEEK WHICH WAS CELEBRATED JULY 16 - 24, 1997

REFERRED TO THE MAYOR

3. Z-18-97; VACANT LOT ON COLLINS RD., PETITION FOR REZONING FROM D-1" PROFESSIONAL OFFICE AND "A" RESIDENTIAL TO "F" COMMERCIAL DISTRICTS FILED BY GEORGE F. EYDE LIMITED FAMILY PARTNERSHIP & LOUIS J. EYDE LIMITED FAMILY PARTNERSHIP TO ALLOW FOR POSSIBLE DEVELOPMENT OF A NEW MOTEL

REFERRED TO THE MAYOR AND THE PLANNING BOARD

4. LETTER FROM DARRYL BURGESS SUBMITTING A FOIA REQUEST FOR RELEASE OF THE CONTENTS OF THE GOLDEN DOCUMENT BOX LOCATED AT THE CIVIC ARENA

REFERRED TO THE CITY ATTORNEY

5. SLU-08-97; 800 BLOCK OF E. JOLLY RD. SOUTH SIDE, PETITION FOR SPECIAL LAND USE FILED BY THE COMMUNITY MENTAL HEALTH BOARD OF CLINTON, EATON AND INGHAM COUNTIES TO ALLOW FOR CONSTRUCTION OF AN OFFICE BUILDING TO SERVE AS A COMPREHENSIVE COMMUNITY MENTAL HEALTH SERVICES CENTER

REFERRED TO THE MAYOR AND THE PLANNING BOARD

6. LETTER OF COMPLAINT FROM GEORGIA BROWN OF 482-3953 REGARDING A BURNED OUT HOUSE LOCATED AT 1405 EMERSON ST. THAT HAS BEEN ISSUED MAKE-SAFE OR DEMOLISH ORDERS WHICH ARE EXPIRED

REFERRED TO THE MAYOR

7. Z-17-97; 1060 N. CEDAR ST. PETITION FOR REZONING FROM REJINALDO GALLEGOS, TO ALLOW THE

OWNER TO PARK HIS COMMERCIAL VEHICLES ON SITE

REFERRED TO THE MAYOR AND THE PLANNING BOARD

8. LETTER OF APPRECIATION FROM RICHARD LETTS FOR THE TRIBUTE AND DONATION GIVEN TO HIM AT THE JUNE 30, 1997 CITY COUNCIL MEETING

RECEIVED AND PLACED ON FILE

9. LETTERS FROM CHRISTINE TIMMONS RE: CONGRESSWOMAN DEBBIE STABENOW, AND COUNCIL PRESIDENT ELLEN BEAL

RECEIVED AND PLACED ON FILE

10. SUSPENSION ITEM FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THE LANSING-EATON NEIGHBORHOOD ORGANIZATION SUBMITTING A REQUEST FOR A CROSSING GUARD AT THE CORNER OF SHEFFIELD AND BAYVIEW

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND THE POLICE DEPARTMENT

#### **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER ALLEN

TO EXCUSE COUNCIL PRESIDENT BEAL FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

#### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER ALLEN SAID THAT SHE WAS RECENTLY MIS-QUOTED IN THE PAPERS REGARDING THE ISSUE OF CLOSING AND LOCKING THE GATES OF THE CITY'S CEMETERIES. SHE WAS REPORTED TO HAVE SAID THAT SHE FAVORS LEAVING THE GATES UNLOCKED. THIS IS NOT TRUE. SHE HAS MADE REQUESTS THAT THE GATES BE LOCKED. THE GATES AT THE CEMETERIES HAVE BEEN KEPT LOCKED FOR THE LAST COUPLE OF WEEKS, BUT AT EVERGREEN CEMETERY PEDESTRIANS CAN GET THROUGH THE POSTS OF THE GATES, AND AT MT. HOPE CEMETERY ONE OF THE GATES IS MISSING. SHE ASKED MR. WIENER TO LOOK INTO THIS SUBJECT ONCE AGAIN.

COUNCILMEMBER BENAVIDES RECOUNTED A COMPLAINT FROM CONSTITUENTS ABOUT CITY SERVICES NOT BEING AVAILABLE BECAUSE OF THE ABSENCE OF EMPLOYEES WHO ARE ON VACATION. SCHEDULING SHOULD BE DONE IN SUCH A WAY AS TO PROVIDE COVERAGE FOR SERVICES. IF A RESIDENT CALLS THE VOICE-MAIL OF AN EMPLOYEE WHO PERFORMS A PARTICULAR FUNCTION, WHEN THAT EMPLOYEE IS ON VACATION THE RECORDED MESSAGE SHOULD DIRECT THE CALLER TO ANOTHER EMPLOYEE WHO CAN HANDLE THEIR BUSINESS.

COUNCILMEMBER NOVAK SPOKE REGARDING THE IMPLEMENTATION OF THE 7 BLOCK DEVELOPMENT

PLAN. HE HAS RECEIVED PHONE CALLS REGARDING A BUSINESS THAT IS IN THE MIDDLE OF A RESIDENTIAL NEIGHBORHOOD. HE HAS ASKED THE PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT TO CONTACT THE CONSTITUENT IN THIS CASE. THERE ARE ZONING AND BUILDING COMPLIANCE ISSUES RELATED TO THIS COMPLAINT. HE ASKED MR. WIENER TO FOLLOW UP ON THIS REQUEST.

COUNCILMEMBER BAUER THANKED CHIEF OF POLICE JERRY BOLES FOR HIS 29 YEARS OF SERVICES TO THIS COMMUNITY. SHE WISHED MR. AND MRS. BOLES THE BEST IN THEIR RETIREMENT. SHE THANKED THE WEST SIDE NEIGHBORHOOD ASSOCIATION FOR THE BEAUTIFUL, GARDEN TOUR. THIS IS A GREAT WAY TO HELP PROMOTE THE CITY OF LANSING.

COUNCILMEMBER JONES REPORTED ATTENDING THE 50TH WEDDING ANNIVERSARY PARTY OF TED AND BETTY KOST. HE COMMENDED THE STATE JOURNAL FOR THEIR ARTICLE ON THE FIREWORKS BUILDING THAT BLEW UP IN LANSING. THIS IS AN EXTREMELY UNSAFE CONDITION. KIDS ARE GETTING INTO THIS BUILDING, WHICH STILL STORES FIREWORKS. THIS PROPERTY MUST BE TAKEN CARE OF. THE BUILDING SAFETY DIVISION HAS ATTEMPTED TO CONTACT MR. HAADAD, THE OWNER, WHO HAS NOT RESPONDED TO THEIR EFFORTS.

COUNCILMEMBER ALLEN RESPONDED THAT HENRY HERNANDEZ HAS INFORMED HER THAT THIS PROPERTY WAS SCHEDULED FOR DEMOLITION AS PART OF THE MAKE-SAFE OR DEMOLISH PROCESS. HOWEVER, THE OWNER WENT TO COURT AND WAS AWARDED AN INJUNCTION DELAYING THE DEMOLITION. THE CITY MUST NOW HIRE A PROCESS SERVER TO SERVE HIM IN NORTHVILLE.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER PROMISED TO LOOK INTO THE GATE ISSUE AT CEMETERIES. HE ASKED LIZA ESTLUND OLSON FOR AN UPDATE ON THIS SITUATION. MRS. ESTLUND OLSON RESPONDED THAT THE PROBLEMS LIE WITH THE CLOSURE MECHANISMS OF THE GATES. THERE HAVE BEEN PROBLEMS WITH THE MECHANICS OF THE GATES FOR SOME TIME. THE GATE AT MT. HOPE CEMETERY IS A DECORATIVE GATE AND IS NOT BUILT TO REPEL PEDESTRIAN TRAFFIC, ONLY TO KEEP CARS OUT.

MR. WIENER RESPONDED TO COUNCILMEMBER BENAVIDES' COMPLAINT ABOUT SCHEDULING OF EMPLOYEE VACATIONS AND PROVIDING COVERAGE FOR CITY SERVICES. THE MAYOR HAS AN EXISTING POLICY FOR PROVISION OF ALTERNATE PERSONNEL COVERAGE. IT IS POSSIBLE THAT THEY MERELY NEED TO TAKE STEPS TO SEE THAT THIS POLICY IS BEING ENFORCED AND TO SEE THAT THE CONSTITUENCY IS GIVEN THE APPROPRIATE INFORMATION REGARDING ALTERNATE COVERAGE. WITH REGARD TO MR. NOVAK'S COMMENTS ABOUT THE 7 BLOCK DEVELOPMENT PROJECT, THIS PROJECT HAS BEEN ONGOING SINCE 1989. THE PLAN WAS DEVELOPED AND ADOPTED BY CITY COUNCIL IN

1992. THERE ARE MANY SEPARATE PARTS OF THE PROJECT. THE NEW RESIDENTIAL CONSTRUCTION PORTION REQUIRES THE ACQUISITION OF 26 PARCELS. THE COMMERCIAL DEVELOPMENT PORTION REQUIRES THE ACQUISITION OF 20 PARCELS, 17 OF WHICH HAVE ALREADY BEEN ACQUIRED. THE EXPANSION OF THE PRINTING BUSINESS IS SLATED TO GO IN TO PLACE IN OCTOBER OF THIS YEAR. THE MISSIONARY BAPTIST CHURCH PROJECT HAS HAD AN EXTENSION OF THEIR ZONING APPROVED BY COUNCIL TONIGHT. THERE IS A DEVELOPER WHO HAS EXPRESSED INTEREST IN DEVELOPING BOTH THE RESIDENTIAL AND COMMERCIAL PROJECTS IN THE ENTIRE AREA. THE MAYOR WILL PROVIDE MORE DETAILED INFORMATION TO COUNCIL AS IT BECOMES AVAILABLE. THE PROJECT REQUIRES A NEIGHBORHOOD ENTERPRISE ZONE DESIGNATION AND PARTNERSHIPS BETWEEN THE BUSINESS AND PRIVATE SECTORS. THIS PROJECT CANNOT BE COMPLETED WITH JUST LOCAL DOLLARS. IT REQUIRES FEDERAL AND STATE DOLLARS, CITY DOLLARS AND PRIVATE INVESTORS. IT IS A VERY LARGE PROJECT IN SCOPE, REQUIRING MANY PARTICIPANTS AND DIVERSE FUNDING SOURCES. HE CANNOT GIVE THEM A SPECIFIC TIME LINE RIGHT NOW, BUT THE ADMINISTRATION IS COMMITTED TO MOVING THIS PROJECT ALONG. THEY WOULD BE WILLING TO MAKE A PRESENTATION AT THE COMMITTEE OF THE WHOLE TO UPDATE COUNCILMEMBERS AS TO EXACTLY WHERE WE ARE. HE WILL SEE THAT A COPY OF MRS. LOVE'S PROGRESS REPORT IS DISTRIBUTED.

LIZA ESTLUND OLSON ADDED, WITH REGARD TO THE FIREWORKS BUILDING; IT HAS BEEN RE-BOARDED, AND THE BOARDS HAVE BEEN PUT UP HIGHER SO AS TO REPEL MORE ATTEMPTS TO ENTER.

COUNCILMEMBER JONES STATED HIS COMMITMENT TO SEEING THAT THE 7 BLOCK DEVELOPMENT PROJECT IS COMPLETED PRIOR TO IT'S 14TH YEAR OF EXISTENCE.

CITY CLERK SLADE THANKED COUNCILMEMBER BENAVIDES FOR INCLUDING HER CHIEF DEPUTY, DIXIE GILMORE, IN TONIGHT'S INVOCATION. DIXIE UNDERWENT SURGERY FOR A BRAIN TUMOR THIS MORNING. THE SURGEONS WERE SUCCESSFUL IN REMOVING 100% OF THE TUMOR AND HER PROGNOSIS LOOKS GOOD, HOWEVER SHE WILL BE OFF WORK FOR SEVERAL WEEKS. THE BEST WISHES FOR A FULL RECOVERY GO OUT TO DIXIE FROM ALL OF HER COLLEAGUES IN CITY HALL.

**ADJOURNED 9:00 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JULY 21, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR  
SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY  
PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY  
COUNCILMEMBER

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF JUNE  
30, AND JULY 7, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER ALLEN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE  
RULES:

1. FROM COUNCILMEMBER ALLEN; STORMWATER  
ENTERPRISE FUND APPEAL FROM GEORGE GRABOWSKI OF  
LANSING GARDENS
2. FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR  
SUSPENSION OF THE RULES TO ALLOW FOR THE ADDITION OF  
A SPECIAL CEREMONIES FOR THE HUMAN RELATIONS  
COMMITTEE ANCHOR PROGRAM
3. FROM COUNCILMEMBER JONES; A RESOLUTION FOR  
TRANSFER OF FUNDS
4. FROM COUNCILMEMBER JONES; A RESOLUTION FOR  
CARRYFORWARD OF FUNDS FROM FY 97 TO FY 98 FOR THE  
LANSING SCHOOL DISTRICT BOOKMOBILE PROGRAM

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION  
OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES SAID THAT THE AD HOC COMMITTEE

ON STUDENT ACHIEVEMENT REPORT IS AVAILABLE ON THE  
BACK TABLE. THE CITY WILL JOIN WITH THE SCHOOL  
DISTRICT IMPROVEMENT TEAM TO A SINGLE SCHOOL  
IMPROVEMENT COMMITTEE TO FACILITATE THE  
IMPLEMENTATION OF THEIR RECOMMENDATIONS. THE CITY  
WILL ALSO LOOK AT WHAT THEY SHOULD BE DOING TO  
PROVIDE A BETTER ATMOSPHERE FOR EDUCATION.

► SPECIAL CEREMONIES:

A. ROBERT McCONNELL, JOAN TRESIZE AND KEVIN  
O'MALLEY OF THE DISTRICT LIBRARY COMMITTEE MADE A  
PRESENTATION REGARDING THE DISTRICT LIBRARY. THEY  
EXPLAINED THE BALLOT PROPOSAL THAT WILL APPEAR ON THE  
AUGUST 5, PRIMARY ELECTION BALLOT AND THEIR BASIC  
DIAGNOSIS OF THE FUNDING LEVELS REQUIRED TO SUPPORT  
A REGIONAL LIBRARY. THEY DEVELOPED A MILLAGE LEVEL  
THAT THEY BELIEVE WOULD BE APPROVED BY THE VOTERS,  
AND IDENTIFIED THE FOLLOWING FOUR CRITERIA FOR THE  
LIBRARY; 1) INCREASE THE HOURS OF LIBRARY OPERATION  
BY 30%. 2) INCREASE EXPENDITURES FOR BOOKS AND  
MATERIALS BY DOUBLE THE CURRENT AMOUNT. 3)  
ALLOCATE \$1,800,000 OVER THE NEXT THREE YEARS TO  
SUPPORT THE PURCHASE OF EQUIPMENT FOR USE OF  
PATRONS. 4) REESTABLISH THE SOUTH LANSING BRANCH OF  
THE PUBLIC LIBRARY.

THEY HAVE BEEN ROTATING THEIR MEETING SITES AROUND  
LANSING AND IT'S SURROUNDING TOWNSHIPS IN AN ATTEMPT  
TO GET FEEDBACK FROM THE PUBLIC. INGHAM COUNTY HAS  
APPROPRIATED \$1,800,000 OVER THE COURSE OF THE  
NEXT THREE YEARS FOR TECHNOLOGICAL UPGRADES. MAYOR  
HOLLISTER AND CITY COUNCILMEMBERS HAVE GIVEN THEIR  
COMPLETE SUPPORT TO THE DISTRICT LIBRARY PLAN. THEY  
INTEND TO KEEP THE BRANCH OFFICES OPEN AND MAINTAIN  
THE BOOKMOBILE SYSTEM. THE MILLAGE THAT THE VOTERS  
WILL BE ASKED TO APPROVE IS 1.0 MILLS (OR \$1 PER  
EVERY THOUSAND OF PROPERTY VALUE) OVER THE COURSE  
OF THE NEXT THREE YEARS. THIS MILLAGE WILL FUND THE  
EXISTING LIBRARIES AND REESTABLISH THE SOUTH LANSING  
BRANCH, AS WELL AS SUPPORT THE BOOKMOBILE SYSTEM.

THEY ASKED THE PUBLIC TO REMEMBER THAT THIS WHOLE  
ISSUE OF A LACK OF FUNDING FOR PUBLIC LIBRARIES WAS  
NOT CAUSED BY THE LIBRARIES THEMSELVES, BUT BY  
PROPOSAL A FOR PROPERTY TAX REFORM IN 1993.

THE THREE COMMITTEE MEMBERS RESPONDED TO QUESTIONS  
BY COUNCILMEMBERS, AND THANKED MAYOR HOLLISTER, HIS  
STAFF, COUNCILMEMBERS, THE LANSING SCHOOL DISTRICT,  
AND THE INGHAM COUNTY BOARD OF COMMISSIONERS FOR  
THEIR COOPERATION ON THIS PROJECT.

MORE INFORMATION REGARDING THE CAPITAL AREA DISTRICT  
LIBRARY IS AVAILABLE BY CALLING 676-0806.

COUNCILMEMBER BAUER THANKED THE COMMITTEE

MEMBERS, WHO SERVE IN A VOLUNTEER CAPACITY AND ARE NOT PROVIDED WITH COMPENSATION.

COUNCILMEMBER BEAL THANKED THE INTER-GOVERNMENTAL RELATIONS COMMITTEE FOR THE WONDERFUL JOB THEY HAVE DONE ON THIS PROJECT.

B. MAYOR HOLLISTER AND COUNCILMEMBER BENAVIDES INTRODUCED JOHN J. GUNTHER OF HUD, WHO INTRODUCED A COALITION FROM LOCAL SERVICE AGENCIES WHO DEVELOPED THE AWARD WINNING ANCHOR PROGRAM, A CONTINUUM OF CARE FOR PROGRAM FOR HOMELESS PEOPLE. THIS PROGRAM HAS RECEIVED A BLUE RIBBON AWARD FROM HUD. MELANIE WINNICKER FROM THE CITY OF LANSING HUMAN RELATIONS AND COMMUNITY SERVICES DEPT. EXPLAINED HOW THE CONTINUUM OF CARE PROCESS WORKS. SHE THANKED THE MEMBERS OF THE ANCHOR PROGRAM FOR MAKING THIS AWARD POSSIBLE FOR THE CITY OF LANSING, AND PARTICULARLY THE HUD OFFICE IN DETROIT, MI WHO HELPED THEM IMMENSELY. MORE INFORMATION ON THE HOMELESS PROGRAM AND IT'S SERVICES CAN BE OBTAINED BY CALLING 483-4477.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### **► PUBLIC COMMENT ON PUBLIC HEARINGS:**

1. IN CONSIDERATION OF SLU-02-97; 725 E. SAGINAW ST., SPECIAL LAND USE REQUEST FILED BY PRUDDEN INVESTMENT L.L.C. TO ALLOW FOR THE DEVELOPMENT OF A 180 UNIT RESIDENTIAL FACILITY

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 822, SECTIONS 822.02, 822.03, 822.08, 822.16, 822.17, 822.18 AND 822.19 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING HEALTH MASSAGE AND BATH ESTABLISHMENT LICENSES

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 826, SECTIONS 826.02 AND 826.04 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING JUNK DEALER LICENSES

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 840.10, SECTIONS 840.04, 840.05 AND ADDING SECTION 840.10 TO THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING OUTDOOR GATHERING LICENSES

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 844, SECTIONS 844.03, 844.05, 844.08, 844.17 AND 844.18 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS LICENSES

DARNELL OLDHAM, SR. OF 3815 BERWICK SAID THAT HE HOPES THIS AMENDMENT DOES NOT CONFLICT WITH THE INGHAM COUNTY VETERANS PEDDLERS ACT.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 852, SECTION 852.06 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING RUBBISH HAULER LICENSES

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

7. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 856, SECTIONS 856.03, 856.10, AND ADDING SECTION 856.11 TO THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING SECOND HAND DEALERS LICENSES

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

8. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 872, SECTIONS 872.03, 872.04, 872.10 AND 872.12 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING VEHICLES FOR HIRE LICENSES

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

#### **► PUBLIC COMMENT ON LEGISLATIVE MATTERS:**

ALEXANDER BOLT OF 1230 REO RD. SAID THAT THE SPECIAL CEREMONY FOR THE DISTRICT LIBRARY WAS A BLATANT ATTEMPT TO REACH INTO THE POCKETBOOK OF THE TAX PAYER. HE URGED TAX PAYERS TO TELL THE GOVERNMENT TO "STOP AND LEAVE MY MONEY AND THE PRODUCT OF MY LABOR ALONE" AND TO VOTE THIS MILLAGE DOWN.

NANCY ERICKSON OF 3333 MOORES RIVER DR. #201, A MEMBER OF THE BOARD OF EDUCATION SPOKE IN SUPPORT OF THE LATE ITEM APPROPRIATION OF FUNDS FOR THE PUBLIC LIBRARY BOOKMOBILE PROGRAM. SHE REITERATED THE STATEMENT MADE BY THE DISTRICT LIBRARY COMMITTEE THAT, PROPOSAL A CUT THE FUNDING FOR THE PUBLIC LIBRARY SYSTEM. SHE THANKED COUNCILMEMBERS LEEMAN AND BAUER FOR THEIR LEADERSHIP ON THE CAPITAL AREA

DISTRICT LIBRARY. SHE, HERSELF PARTICIPATED IN SEVEN ATTEMPTS TO FORM A DISTRICT LIBRARY. THEIR FOCUS IS K-12 AND THE PROMOTION OF LITERACY AND EDUCATION ON A WORLD WIDE LEVEL.

TOM HERNLY OF 3425 PALMER ST. ASKED MAYOR HOLLISTER WHY HE WOULD VETO A RESOLUTION PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE BALLOT FOR A VOTE OF THE PEOPLE? THIS FEE WAS JUST AN "END RUN" AROUND THE HEADLEY AMENDMENT TO START WITH. HE CANNOT UNDERSTAND WHY THE MAYOR WOULD VETO SOMETHING THAT SIMPLY PUT A SUBJECT TO THE VOTERS FOR THEIR DECISION. HE DEMANDED THAT EQUAL INFORMATION ON BOTH SIDES OF THIS ISSUE BE RELEASED TO THE PUBLIC. THE INFORMATION RELEASED HERETOFORE HAS BEEN TOTALLY ONE SIDED.

TOM LAFFERTY OF 1806 W. MICHIGAN STATED HIS OPPOSITION TO THE STORMWATER ENTERPRISE FUND ORDINANCE.

REVEREND ANDREW BRODIE OF 1114 GLEN ST. STATED HIS OPPOSITION TO THE STORMWATER ENTERPRISE FUND ORDINANCE. HE TERMED IT "A COCKEYED ORDINANCE PERPETRATED AGAINST THE CITIZENS OF LANSING BY THE MAYOR AND CITY COUNCIL".

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, MI APPEALED TO MAYOR HOLLISTER AND URGED HIM NOT TO VETO TONIGHT'S RESOLUTION PLACING THIS MATTER ON THE BALLOT.

WALT SHERWOOD OF 3130 FELT ST. SAID THAT EVERYONE IS MISSING THE POINT. HE DISTRIBUTED PICTURES TO COUNCILMEMBERS DEPICTING THE POT HOLES ON THE EAST END OF CARRIER ST.

KAY CARTER OF 402 CARRIER URGED MAYOR HOLLISTER NOT TO VETO THE RESOLUTION PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE BALLOT.

ED SIMMER OF 2609 DIER SPOKE IN SUPPORT OF PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE BALLOT FOR A VOTE OF THE PEOPLE.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT WE DO NOT LIVE IN A DEMOCRACY IN THE CITY OF LANSING. WE LIVE IN A REPRESENTATIVE REPUBLIC. HE SUGGESTED THAT THE COUNCIL PLACE THIS ISSUE ON THE BALLOT THROUGH THE USE OF A VOICE MOTION, NOT THROUGH A RESOLUTION. THIS WOULD SEEM, TO HIM, TO MAKE IT NOT SUBJECT TO THE REVIEW OF THE MAYOR.

CHUCK CHAPMAN OF 816 W. WILLOUGHBY CRITICIZED MAYOR HOLLISTER FOR HIS THREAT OF A VETO ON THE RESOLUTION PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE BALLOT. HE ACCUSED THE MAYOR OF LYING TO EVERYONE AND URGED VOTERS TO VOTE HIM OUT OF OFFICE.

CINDI CURRIE OF 2500 TULANE URGED ALL VOTERS IN INGHAM COUNTY TO VOTE FOR THE DISTRICT LIBRARY MILLAGE ON AUGUST 5, 1997. THIS MILLAGE WILL BENEFIT ALL OF THE YOUTHS IN THE COUNTY. IT WILL HELP

ERADICATE ILLITERACY AND HELP WITH JOB TRAINING. A QUALITY LIBRARY SYSTEM WILL ENCOURAGE MORE PEOPLE TO MOVE INTO THE AREA AND IMPROVE LEISURE OPPORTUNITIES.

CHRISTINE TIMMON OF 335 E. ST. JOE URGED MAYOR HOLLISTER NOT TO VETO THE RESOLUTION PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT.

DARNELL OLDHAM OF 3815 BERWICK DR. READ A STATEMENT FROM THE STATE JOURNAL REGARDING THE EPIC/MRA POLL THAT WAS PUBLISHED LAST WEEK. HE URGED COUNCIL TO PLACE THE ISSUE OF THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT TO BE DECIDED BY THE VOTERS. HE DEMANDED THAT MAYOR HOLLISTER PRODUCE THE LETTER THAT HE SAYS HE HAS IN HIS POSSESSION CONFIRMING THE FEDERAL MANDATE TO STOP DUMPING SEWAGE INTO THE GRAND RIVER.

GRETCHEN COURAUD OF 300 MICHIGAN AVE., REPRESENTING THE LANSING REGIONAL CHAMBER OF COMMERCE, UPON QUESTIONING BY PRESIDENT BEAL, STATED HER HOME ADDRESS AS 1881 REDWOOD IN E. LANSING AND REQUESTED THAT ALL PUBLIC SPEAKERS BE REQUIRED TO STATE THEIR HOME ADDRESS AS SHE WAS. SHE STATED HER OPPOSITION TO THE RESOLUTION PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT. SHE CALLED IT FISCAL IRRESPONSIBILITY ON THE PART OF COUNCILMEMBERS TO PROPOSE ELIMINATION OF THIS FUNDING SOURCE WITHOUT PLACING THE ALTERNATIVE ON THE BALLOT AT THE SAME TIME. ADDITIONALLY, SHE IS ALARMED THAT TWO OF THE COUNCILMEMBERS WHO INTRODUCED THIS RESOLUTION HAVE OVERSIGHT OVER THE CONSULTANT FIRM THAT IS STUDYING THE STORMWATER ENTERPRISE FUNDING MECHANISM. SHE URGED COUNCILMEMBERS TO OPPOSE THIS RESOLUTION AND TO SUPPORT THE CITY'S ENVIRONMENTAL AND FINANCIAL HEALTH.

REVEREND LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH SPOKE IN SUPPORT OF THE RESOLUTION PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT. THERE IS A LOT OF CONFUSION AND DISSATISFACTION IN THE COMMUNITY OVER THIS FUND. IT IS IMPORTANT TO NOTE THAT THE ISSUE TONIGHT IS DIFFERENT THAN THE ISSUE A FEW MONTHS AGO THAT MAYOR HOLLISTER VETOED, WHEN COUNCIL ATTEMPTED TO REPEAL THE ORDINANCE ITSELF. THIS IS MERELY AN ATTEMPT TO PUT THE REPEAL OF THE ORDINANCE BEFORE THE VOTERS OF THIS CITY. THE ONLY ISSUE INVOLVED HERE IS; "SHOULD THE CITIZENS BE GIVEN A VOICE ON THIS MATTER?"

MAYOR HOLLISTER URGED COUNCILMEMBERS TO ADOPT THE LATE ITEM RESOLUTION AUTHORIZING PAYMENT TO THE CONSULTANTS WHO ARE STUDYING THE CSO PROJECT AND THE STORMWATER ENTERPRISE FUND ORDINANCE. THEY DEVISED A MULTI-PHASE STUDY OF THESE TWO ISSUES AND DESERVE TO BE PAID FOR THEIR WORK. HE REQUESTED THAT COUNCILMEMBERS SUSPEND VOTING ON THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE UNTIL SUCH TIME AS THE CONSULTANTS HAVE FORMULATED THE RESULTS OF THEIR STUDY. WE MUST WAIT TO SEE WHETHER THEY FIND A PROBLEM WITH THE PROJECT, AND THEN WE CAN

DEVELOP AN ALTERNATIVE TOGETHER. IT IS PREMATURE TO PRE JUDGE WHAT THE CONSULTANTS, THAT WE HIRED TO LOOK AT THIS ISSUE, WILL FIND. WE GAVE THEM THE CHARGE OF LOOKING AT ALTERNATIVE FUNDING SOURCES, LET US ALLOW THEM TO DO SO. THIS IS AN INOPPORTUNE TIME FOR THIS KIND OF ACTION. WE ARE TWO WEEKS AWAY FROM THE PRIMARY ELECTION. THIS ISSUE NEED NOT BE SETTLED AT THIS TIME.

COUNCILMEMBER LILLY QUESTIONED MAYOR HOLLISTER AS TO HIS STATEMENTS THAT GENERAL MOTORS HAS NOT COMMITTED TO REMAINING IN LANSING PAST THE YEAR 2002. HE (LILLY) CITED ASSURANCES IN THE INDUSTRIAL FACILITIES EXEMPTION CERTIFICATES ISSUED TO GM IN THE FALL OF 1996, TO THE EFFECT THAT GM IS REQUIRED TO MAINTAIN A SPECIFIC WORK FORCE IN LANSING UNTIL THE EXPIRATION OF THE TERM OF THE IFEC, OR THE MONIES ABATED MAY BE RETRIEVED BY THE CITY THROUGH LEGAL ACTION. MAYOR HOLLISTER RESPONDED THAT, IF THE CITY IS NOT THE CHOSEN SITE FOR THE NEXT MODEL CAR, GENERAL MOTORS WILL PROBABLY BEGIN TO PHASE OUT THEIR OPERATIONS IN LANSING. IT IS THE DESIRE OF THE CITY TO KEEP GM IN LANSING, HOWEVER EDUCATION AND TRAINING OF A POTENTIAL WORK FORCE IS A KEY ELEMENT TO THE PRODUCTION OF THE NEXT MODEL CAR. IF WE DO NOT HAVE A PROPERLY TRAINED WORKFORCE AVAILABLE TO THEM, THEY CANNOT REMAIN IN LANSING. GENERAL MOTORS SPENDS \$600,000,000 EVERY YEAR IN THIS COMMUNITY.

COUNCILMEMBER BEAL QUESTIONED THE MAYOR AS TO THE CRITERIA NECESSARY FOR HIM TO BE ABLE TO SUPPORT THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE. WILL HE EVENTUALLY SUPPORT THE REPEAL, AND WHAT WILL IT TAKE FOR HIM TO DO SO?

MAYOR HOLLISTER RESPONDED THAT THE MOST IMPORTANT CRITERIA IS THE REPLACEMENT OF THE FUNDING SOURCE. THERE MUST BE AN ALTERNATIVE FUNDING SOURCE PUT IN PLACE THAT WILL ADEQUATELY FUND THE PROJECT. WE HAVE HIRED A CONSULTANT TO IDENTIFY THE BEST POSSIBLE FUNDING SOURCE FOR THE CSO PROJECT. TO VOTE NOW, TO REPEAL THE CURRENT FUNDING SOURCE, WHILE AT THE SAME TIME TO CONTINUE SPENDING THE MONEY ON THE PROJECT, IS CONTRARY TO FISCAL RESPONSIBILITY.

COUNCILMEMBER BEAL CONTRADICTED THE MAYOR, SAYING, THAT THE CONSULTANTS ARE LOOKING AT THE SCOPE OF THE PROJECT, NOT AT IT'S FUNDING MECHANISM.

### LEGISLATIVE MATTERS RESOLUTIONS

#### RESOLUTION #398

BY THE COUNCILMEMBERS LILLY & JONES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL ENACTED AND APPROVED ORDINANCE NO. 925, ENTITLED "STORMWATER ENTERPRISE FUND" ("FUND"), ON OCTOBER 9, 1995, AS A MEANS TO DEFRAY FIFTY PERCENT (50%) OF THE COST TO IMPLEMENT THE COMBINED SEWER OVERFLOW ("CSO") CONTROL PROGRAM TO ELIMINATE OR ADEQUATELY TREAT THE DISCHARGE OF COMBINED SEWER OVERFLOW INTO THE

LANSING WATER SYSTEM; AND

WHEREAS, THE LANSING CITY COUNCIL REPEALED ORDINANCE NO. 925 ON APRIL 17, 1997; AND

WHEREAS, MAYOR HOLLISTER VETOED THE COUNCIL'S ACTION; AND

WHEREAS, THE LANSING CITY COUNCIL WAS UNABLE TO OVERRIDE THE MAYOR'S VETO AND NOW WISHES TO SUBMIT THE QUESTION TO THE REPEAL OF ORDINANCE NO. 925 TO THE ELECTORATE;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL, ACTING PURSUANT TO SECTION 2-407 OF THE CITY CHARTER, HEREBY DIRECTS THE FOLLOWING PROPOSAL FOR CONSIDERATION BY THE ELECTORATE ON THE BALLOT THIS ~~NOVEMBER 5~~, NOVEMBER 4, 1997:

*ON OCTOBER 9, 1995, THE LANSING CITY COUNCIL VOTED AND APPROVED ORDINANCE NO. 925, ENTITLED THE "STORMWATER ENTERPRISE FUND" (FUND), AS A MEANS TO DEFRAY THE COST OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SYSTEM AND TO PROVIDE A METHOD FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT SUCH A FUND.*

SHALL THE CITY OF LANSING ORDINANCE NO. 925, ENACTED ON OCTOBER 9, 1995, BE REPEALED, EFFECTIVE DECEMBER 1, 1997.

YES \_\_\_\_\_ NO \_\_\_\_\_

BY COUNCILMEMBER LILLY

TO AMEND THE RESOLUTION BY STATING THE DATE OF THE NOVEMBER GENERAL ELECTION AS TUESDAY, NOVEMBER 4, 1997, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

#### RESOLUTION #399

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ORDINANCE #888 ADOPTED JULY 11, 1994, ALLOWS FOR THE DISPOSITION OF BICYCLES WHICH ARE DEEMED SURPLUS BY THE LANSING POLICE DEPARTMENT; AND

WHEREAS, BY SUBSEQUENT RESOLUTION THE CITY COUNCIL DEFINED THE PROCEDURE FOR DISPOSING OF THESE BICYCLES TO NON-PROFIT AGENCIES WITHIN THE CITY; AND

WHEREAS, THE CITY COUNCIL HAS RECEIVED REQUESTS



FROM ADDITIONAL NON-PROFIT AGENCIES, AND HAS ALSO RECEIVED LISTS FROM THE QUARTERMASTER UNIT IDENTIFYING SURPLUS BICYCLES,

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE DISTRIBUTION OF BICYCLES DEEMED SURPLUS BY THE QUARTERMASTER UNIT OF THE LANSING POLICE DEPARTMENT IN THE COMMUNICATIONS DATED JULY 10, 1997, 1997, TO FABULOUS ACRE NEIGHBORHOOD ASSOCIATION; AND

BE IT FURTHER RESOLVED ANY BICYCLES FROM THIS LIST THAT ARE NOT PICKED UP BY THE ELIGIBLE NON-PROFIT AGENCIES BY JULY 29, 1997, MAY BE DISPOSED OF BY THE QUARTERMASTER IN A MANNER CONSISTENT WITH STATE LAW AND THE CITY OF LANSING PURCHASING ORDINANCE.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #400**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED JOHN RUGE, 201 LATHROP STREET, TO THE PLANNING BOARD, FOR A TERM TO EXPIRE JUNE 30, 2001, AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF JOHN RUGE TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #401**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED LESLIE SULSKIS, 417 NORTH JENISON STREET, TO THE HISTORIC DISTRICT COMMISSION, FOR A TERM TO EXPIRE JUNE 30, 2000; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF LESLIE SULSKIS TO THE HISTORIC DISTRICT COMMISSION FOR A TERM TO EXPIRE JUNE 30, 2000.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #402**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED MARY BAWEJA, 427 WEST BARNES STREET, TO THE HISTORIC DISTRICT COMMISSION, FOR A TERM TO EXPIRE JUNE 30, 2000; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF MARY BAWEJA TO THE HISTORIC DISTRICT COMMISSION FOR A TERM TO EXPIRE JUNE 30, 2000.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #403**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
ACT-4-97: VACATION OF EDGEWOOD CIRCLE

WHEREAS, THE APPLICANT, CHARLES SCHOLL OF MILLER, JOHNSON, SNELL AND CUMMISKEY, P.L.C. REQUESTS THE PLATTED STREET KNOWN AS EDGEWOOD CIRCLE BE VACATED; AND

WHEREAS, THE PUBLIC SERVICE DEPARTMENT STAFF SUPPORTS THE VACATION OF EDGEWOOD CIRCLE; AND

WHEREAS, THE PLANNING BOARD CONDUCTED AN ACT 285 REVIEW (ACT-4-97) FOR CHARACTER, LOCATION AND EXTENT OF THE SUBJECT RIGHT OF WAY (ROW), AND FOUND THAT THE REQUESTED VACATION OF EDGEWOOD CIRCLE WILL NOT HAVE ANY ADVERSE IMPACT ON THE SURROUNDING CONTIGUOUS PROPERTIES, WHICH ARE ALL OWNED BY THE SAME ENTITY, AND THAT THERE IS NO PUBLIC PURPOSE IN RETAINING EDGEWOOD CIRCLE AS A PUBLIC ROW; AND

WHEREAS, NO ONE SPOKE AGAINST THE PROPOSED VACATION OF EDGEWOOD CIRCLE AT THE PLANNING BOARD MEETING ON MAY 6, 1997; AND

WHEREAS, ON MAY 6, 1997 THE PLANNING BOARD AND VOTED UNANIMOUSLY TO RECOMMEND APPROVAL OF THE REQUEST TO VACATE THE ROW, WHICH IS APPROXIMATELY 650 FEET LONG AND 66 FEET WIDE, RESERVING APPROPRIATE EASEMENTS FOR UTILITIES AND ACCESS; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS REVIEWED THE REPORT AND RECOMMENDATION OF THE PLANNING BOARD AND CONCURS THEREWITH;

NOW, THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY VACATES EDGEWOOD CIRCLE RIGHT OF WAY SOUTH OF EDGEWOOD BOULEVARD IN THE CITY OF LANSING, SAID VACATED STREET BEING MORE PARTICULARLY DESCRIBED AS:

ALL THAT PORTION OF THE EDGEWOOD CIRCLE RIGHT OF WAY CONTAINED IN THE PLAT OF KAHRES FARM No. 2, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, LYING IMMEDIATELY SOUTH OF THE SOUTH LINE OF THE EDGEWOOD BOULEVARD RIGHT OF WAY,

BUT RESERVING, HOWEVER, UNTO THE CITY OF LANSING AN EASEMENT UNDER, ACROSS, ABOVE AND WITHIN THE RIGHT OF WAY OF SAID VACATED STREET FOR UTILITY PURPOSES, INCLUDING THE RIGHT OF INGRESS AND EGRESS AT ALL TIMES FOR PUBLIC AND PRIVATE UTILITY AGENTS AND EMPLOYEES TO USE THE VACATED STREET, OR SO MUCH OF IT AS MAY BE NECESSARY, FOR THE INSTALLATION, MAINTENANCE, REPAIR, OR REMOVAL OF UTILITIES.

BE IT FINALLY RESOLVED, THE CITY CLERK, WITHIN 30 DAYS HEREAFTER, SHALL FORWARD CERTIFIED COPIES OF THIS RESOLUTION TO THE INGHAM COUNTY REGISTER OF DEEDS FOR RECORDING, AND UPON RETURN, TRANSMIT A COPY OF THE RECORDED RESOLUTION TO THE MICHIGAN DEPARTMENT OF CONSUMERS AND INDUSTRY SERVICES, SUBDIVISION CONTROL UNIT, AND TO THE PLANNING AND ASSESSOR'S OFFICES.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #404

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED GWENDOLYN CONARTON, 308 WEST LAPEER STREET, TO THE PRINCIPAL SHOPPING DISTRICT BOARD, FOR A TERM TO EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF GWENDOLYN CONARTON TO THE PRINCIPAL SHOPPING DISTRICT BOARD FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #405

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED KEN STOCKWELL, 4436 SATINWOOD, OKEMOS, TO THE PRINCIPAL SHOPPING DISTRICT BOARD, FOR A TERM TO EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY

COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF KEN STOCKWELL TO THE PRINCIPAL SHOPPING DISTRICT FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #406

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED STEPHEN HRAPKIEWICZ, 2463 SANIBEL HOLLOW, HOLT, TO THE PRINCIPAL SHOPPING DISTRICT BOARD, FOR A TERM TO EXPIRE JUNE 30, 1998; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF STEPHEN HRAPKIEWICZ TO THE PRINCIPAL SHOPPING DISTRICT BOARD FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #407

BY THE COMMITTEE ON PUBLIC SERVICES  
PUBLIC IMPROVEMENT V  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE SUPPLEMENTARY SPECIAL ASSESSMENT ROLL B57, PUBLIC SERVICE # 01020, KNOWN AS THE 1996 SIDEWALK REPAIR. WHEREAS IT IS A MATTER OF PUBLIC NECESSITY TO REPAIR SIDEWALK IN FRONT OF AND ADJACENT TO, THE PROPERTIES DESCRIBED BELOW:

PROPERTY BENEFITTED: SIDEWALK - AN AREA BOUNDED BY DUNLAP STREET, STABLER STREET, HOLMES ROAD, AND WASHINGTON AVENUE. ALSO THE AREA BOUNDED BY LAFAYETTE AVENUE, ANDREW AVENUE, NORTH GRAND RIVER AVENUE, AND GRANDELL AVENUE. ALSO CAMBRIDGE ROAD BETWEEN NOTTINGHAM ROAD AND MOORES RIVER DRIVE, MOORES RIVER DRIVE BETWEEN CAMBRIDGE ROAD AND BOSTON BOULEVARD, WELLINGTON STREET NORTH OF BOSTON BOULEVARD, BLAIR STREET FROM WELLINGTON STREET TO BOSTON BOULEVARD, AND PETTIS STREET FROM BOSTON BOULEVARD TO MOORES RIVER DRIVE. EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

ROLL B57	ESTIMATED COST	ACTUAL COST	DIFFERENCE
SIDEWALK REPAIRS	\$77,277.64	\$76,512.00	(\$765.64)

AS RETURNED BY THE CITY ASSESSOR BE AND THE SAME IS HEREBY RATIFIED AND CONFIRMED, AND THAT THE MAYOR BE AND HEREBY IS DIRECTED TO AFFIX WITHIN TEN DAYS, HIS WARRANT DIRECTING THE CITY TREASURER TO REFUND TO ALL PERSONS WHO HAVE PAID SAID TAX AS ORIGINALLY ASSESSED THE PRO RATA AMOUNT OF DIFFERENCE AS SHOWN IN SAID SUPPLEMENTARY ROLL, AND COLLECT ALL UNPAID TAX AS SHOWN ON SAID ROLL 90 DAYS AFTER APPROVAL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #408**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT II-III

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT I ADOPTED BY THIS COUNCIL, THE DIRECTOR OF PUBLIC SERVICE HAS COMPLETED THE PLANS AND SPECIFICATIONS AND FURNISHED THE FOLLOWING INFORMATION:

PROJECT TITLE:

PAULSON STREET RECONSTRUCTION P.S. #16068 -N.  
EAST STREET TO CEDAR STREET

PROPERTY BENEFITTED

CURB AND GUTTER:

ALL LANDS FRONTING ON PAULSON STREET FROM N. EAST STREET TO CEDAR STREET.

PROPERTY BENEFITTED

STORM SEWER:

ALL LANDS FRONTING ON PAULSON STREET FROM N. EAST STREET TO CEDAR STREET.

AND WHEREAS, BIDS WERE RECEIVED ON MAY 27, 1997 FOR PS #01030, 1997 LOCAL STREETS CONTRACT #5;

AND WHEREAS, THE CITY ASSESSOR HAS COMPLETED THE ASSESSMENT ROLL FOR CURB AND GUTTER AND NECESSARY STORM SEWER FACILITIES, BASED UPON THE BIDS RECEIVED AND OTHER RELATED COSTS OF CONSTRUCTION, AND FURNISHED THE FOLLOWING INFORMATION:

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 338	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$177.58	\$24,654.24
STORM SEWER	\$2,281.51	\$17,079.89
<u>OTHER COSTS</u>	<u>\$53,227.99</u>	<u>\$0.00</u>
TOTAL COSTS	\$55,687.09	\$41,734.13

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT THE ABOVE-MENTIONED PLANS, SPECIFICATIONS, AND OTHER PERTINENT INFORMATION REGARDING THIS PROJECT BE RECEIVED, APPROVED, AND PLACED ON FILE FOR PUBLIC INSPECTION; AND

BE IT FURTHER RESOLVED THE DIRECTOR OF PUBLIC

SERVICE IS AUTHORIZED TO OBTAIN THE EASEMENTS REQUIRED FOR THE PROJECT; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, AUGUST 4, 1997, AT 7:00 PM, IN THE COUNCIL CHAMBERS, TO REVIEW, PRIOR TO CONFIRMATION, SAID ASSESSMENT ROLL; AND

BE IT FURTHER RESOLVED THAT THE CITY CLERK AND THE PUBLIC SERVICE DIRECTOR ARE HEREBY REQUESTED TO GIVE DUE NOTICE OF THIS PUBLIC HEARING AS PROVIDED BY CHAPTER 1020, SECTION 1026.06(c)(1), OF THE

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #409**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE EYDE COMPANY, PROPERTY OWNER, REQUESTED THE CITY VACATE A PORTION OF THE JOHNSON DRAIN EASEMENT IN ORDER TO PROVIDE PROPER DRAINAGE IMPROVEMENTS FOR LIGHT INDUSTRIAL LOTS; AND

WHEREAS, PURSUANT TO RESOLUTION #081, ADOPTED BY THIS COUNCIL ON FEBRUARY 19, 1996, THE REQUEST TO VACATE WAS APPROVED UNDER THE CONDITION THAT A NEW EASEMENT BE GRANTED BY THE PROPERTY OWNER. THEREFORE, BE IT RESOLVED, THE CITY COUNCIL HEREBY ACCEPTS THE PERMANENT EASEMENT GRANTED TO THE CITY FOR THE JOHNSON DRAIN, AS EXECUTED BY LOUIS J. EYDE LIMITED FAMILY PARTNERSHIP AND GEORGE F. EYDE LIMITED FAMILY PARTNERSHIP, ACCORDING TO THE FOLLOWING LEGAL DESCRIPTION:

A PORTION OF THE JOHNSON DRAIN THROUGH LOT 9, GIDDINGS SUBDIVISION, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 15 OF PLATS, PAGE 2, INGHAM COUNTY RECORDS; BEGINNING AT STATION 23+90 ALONG THE CENTERLINE OF THE ORIGINAL SURVEY OF THE JOHNSON DRAIN; THENCE N89°59'00"W 224.79 FEET; THENCE S53°09'00"W 409.30 FEET PARALLEL WITH THE NORTHWESTERLY LINE OF LOT 9 TO THE POINT OF ENDING SAID POINT BEING STATION 30+08 ON THE CENTERLINE OF THE ORIGINAL SURVEY OF THE JOHNSON DRAIN. THE WIDTH OF SAID EASEMENT SHALL BE 8 5 FEET WIDE, WITH SAID WIDTH BEING FURTHER DESCRIBED A 50 FEET SOUTH AND 35 FEET NORTH OF SAID CENTERLINE. THE STATED WIDTH IS TO BE MEASURED PERPENDICULAR TO SAID CENTERLINE.

BE IT FURTHER RESOLVED, UPON APPROVAL AS TO FORM OF THE BEFORE MENTIONED PERMANENT EASEMENT BY THE CITY ATTORNEY, THE CITY CLERK IS REQUESTED TO RECORD THE EASEMENT WITH THE INGHAM COUNTY REGISTER OF DEEDS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #410**  
 BY THE COMMITTEE ON WAYS AND MEANS  
 RESOLVED BY THE CITY COUNCIL OF  
 THE CITY OF LANSING

THAT THE LESSER OF THE REMAINING UNENCUMBERED  
 BALANCE OR THE AMOUNT INDICATED BE REAPPROPRIATED IN  
 FY 98 TO THE ADMINISTRATIVE ACCOUNTS AS SHOWN;

FUND/ ACCOUNT	AMOUNT TO CARRY FORWARD
STORMWATER FUND	
230-453603-743000-0	
PROFESSIONAL SERVICES	\$175,000

SEWAGE FUND	
590-453670-743000-0	
CONTRACTUAL SERVICES	\$175,000

(FUNDING FOR CSO PROJECT PLAN EVALUATION.  
 CONTRACTOR HAS CEASED STUDY PENDING CONTRACT WHICH  
 IS AWAITING CERTIFICATION OF FUNDS.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #411**  
 BY THE COMMITTEE ON WAYS AND MEANS  
 RESOLVED BY THE CITY COUNCIL OF  
 THE CITY OF LANSING

THAT THE FOLLOWING FY 98 TRANSFER BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$24,000	GEN. ADMIN.-GEN. CTRL. 101- 173901-992001-0	GEN. ADMIN.-CTRL 101-173901-992200-0
\$24,000	GEN. ADMIN.-CTRL 101-173901-992200-0	COMM. SUPP. AGCY.-CTRL 101-834101-992200-0
\$24,000	COMM. SUPP. AGCY-CTRL 101-834101-992200-0	LIBRARY BOOKMOBILE 101- 834101-060055-0

(FUNDING FOR LIBRARY BOOKMOBILE FROM SEPT. THROUGH  
 DEC., 1997)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY RELATED MATTERS:

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SAID THAT THE  
 STORMWATER ENTERPRISE FUND ORDINANCE SHOULD BE  
 PUT BEFORE THE PEOPLE. SHE CRITICIZED THE ACLU FOR  
 ENDORSING THE CITIZENS REVIEW BOARD PETITIONS. THE  
 MARCH FOR JUSTICE, SHE SAID, WOULD BE MUCH BETTER  
 OFF CLEANING UP THEIR OWN NEIGHBORHOODS THAN TRYING  
 TO RESTRUCTURE THE POLICE DEPARTMENT.

RUSSELL TERRY OF 121 E. MT. HOPE ADVISED THE STATE  
 JOURNAL THAT THE REASON THAT HIS VOTING RECORD IS AT  
 50% FOR THE PAST 10 YEARS IS BECAUSE MOST OF THE  
 TIME HE HAS HAD FAITH IN THE INCUMBENT AND DID NOT  
 VOTE.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SAID THAT  
 THE BLACKS, HISPANICS AND POOR PEOPLE HAVE NOT  
 RECEIVED JUSTICE IN THE CITY OF LANSING. PEOPLE IN  
 LANSING, WHO ARE BEING PROSECUTED BY THE STATE OF  
 MICHIGAN, ARE BEING ASSIGNED PUBLIC DEFENDERS BY THE  
 PROSECUTOR'S OFFICE, WHICH IS THE SAME ENTITY THAT IS  
 RESPONSIBLE FOR THEIR PROSECUTION. THIS IS A CONFLICT  
 OF INTEREST AND ENSURES THAT THE DEFENDANT WILL NOT  
 RECEIVE JUSTICE.

TOM HERNLY OF 3425 PALMER ST. CRITICIZED THE  
 REPRESENTATIVE FROM THE CHAMBER OF COMMERCE, WHO  
 SPOKE EARLIER IN THE MEETING. HE STATED HIS SUPPORT  
 FOR CERTAIN CANDIDATES FOR CITY COUNCIL SEATS. HE  
 CRITICIZED THE MAYOR FOR HIS STANCE ON THE  
 STORMWATER ENTERPRISE FUND ORDINANCE ISSUE.  
 CHUCK CHAPMAN OF 816 W. WILLOUGHBY SAID THAT THE  
 CSO PROJECT IS REALLY ABOUT A BROKEN SEWER SYSTEM.  
 COUNCIL MIGHT JUST AS WELL TAKE MONEY FROM THE  
 RESIDENTS AND THROW IT INTO THE RIVER.

DARNELL OLDHAM, SR. OF 3815 BERWICK THANKED THE  
 THOUSANDS OF CITIZENS WHO HAVE SIGNED THE CITIZENS  
 REVIEW BOARD PETITIONS. HE CHALLENGED MAYOR  
 HOLLISTER TO ANSWER THE QUESTION; "WHY WERE THERE NO  
 ARRESTS AT MELLING DROP FORGE ON THE NIGHT OF THE  
 TEAR GAS INCIDENT, IF THE STRIKERS WERE OUT OF  
 CONTROL, WHY WEREN'T THEY ARRESTED? IF THEY WERE  
 BREAKING THE LAW, ARRESTS SHOULD HAVE BEEN MADE. HE  
 CRITICIZED THE POLICE DEPARTMENT FOR FAILING TO OFFER  
 MEDICAL ATTENTION TO PEOPLE WHO WERE AFFECTED BY THE  
 GASSING.

ED SIMMER OF 2609 DIER SPOKE IN OPPOSITION TO THE  
 CANDIDACY OF A CANDIDATE FOR THE SECOND WARD COUNCIL  
 SEAT. HE STATED THAT; AFTER THE TEAR GAS  
 INCIDENT AT MELLING DROP FORGE, HE DISCOVERED A LIVE  
 TEAR GAS CANISTER AT THE SITE. HE ASKED WHY HE WAS  
 NOT INTERVIEWED BY THE BOARD OF POLICE COMMISSIONERS  
 WITH REGARD TO THIS INCIDENT.

FRANK CURTIS "X" REFUSED TO STATE HIS ADDRESS, AND  
 SAID THAT HE ATTENDED THE SCHOOL BOARD MEETING LAST  
 WEEK. HE PROTESTED THE TREATMENT OF ONE OF THE  
 BOARD MEMBERS BY THE REST OF THE BOARD AND BY THE  
 LANSING STATE JOURNAL. HE THREATENED TO CANCEL HIS  
 SUBSCRIPTION TO THE NEWSPAPER.

MICHAEL J. SIMON OF 310 S. SEYMOUR WISHED  
 EVERYONE GOOD LUCK WITH THEIR ELECTIONS.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. SPOKE IN  
 SUPPORT OF TRAFFIC CALMING DEVICES. HE STATED THAT  
 HE DISAGREES WITH THE MANNER IN WHICH COUNCIL  
 CHANGES IT'S MIND ON ISSUES AND THAT HE DISAGREES  
 WITH THE FORMATION OF A CITIZENS REVIEW BOARD.

WILLIE DAVIS OF 1136 SHEPARD SPOKE IN SUPPORT OF

THE MARCH FOR JUSTICE AND THEIR PETITION DRIVE TO PLACE A CITIZENS REVIEW BOARD QUESTION ON THE NOVEMBER ELECTION BALLOT. HE THANKED COUNCILMEMBERS FOR RETURNING THE POWER TO THE PEOPLE WITH REGARD TO THE RAIN FEE. HE SPOKE OF SOCIETY'S DISENFRANCHISEMENT OF THE RESPECT AND RIGHTS OWED TO THE BLACK MAN, SUCH AS THE PAYMENT OF SOCIAL SECURITY BENEFITS, WHICH MOST BLACK MEN DO NOT RECEIVE BECAUSE THEY DIE BEFORE THEY ARE ELIGIBLE FOR THEM.

MELANIE ROGERS OF 409 W. WILLOW SAID THAT MAYOR HOLLISTER OWES THE MARCH FOR JUSTICE AN APOLOGY FOR THE FACT THAT THEIR NEGOTIATIONS DID NOT WORK OUT. HE STATED HER HAPPINESS AT THE RESIGNATION OF CHIEF OF POLICE, JEROME BOLES. SHE BELIEVES THAT, OVERALL, POLICE OFFICERS TRY TO DO THEIR BEST. THE CITY COUNCIL AND MAYOR HOLLISTER SHOULD TREAT EVERYONE WITH THE RESPECT THAT THEY EXPECT THEIR STAFF TO DISPLAY.

LLOYD TEETS OF 116 E. SAID THAT HE DOES NOT THINK COUNCILMEMBERS LILLY AND JONES WERE POLITICALLY MOTIVATED TO PLACE THE RESOLUTION REPEALING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT. THOUSANDS OF APPEALS OF THESE FEES HAVE BEEN RECEIVED FROM RESIDENTS. THERE IS AN ALTERNATIVE FUNDING MECHANISM WHICH WAS PUT IN PLACE BY COUNCIL, AND THE MAYOR VETOED IT.

ALEXANDER BOLT OF 1230 REO RD. SAID THAT MOST OF THE CITY HAS ALREADY PAID FOR SEWER SEPARATION THROUGH THE MECHANISM OF SPECIAL ASSESSMENTS ON THEIR PROPERTY, OR A HIGHER PURCHASE PRICE WHEN THEY PURCHASED THEIR HOME. NOW THE ENTIRE CITY IS EXPECTED TO PAY FOR THE 25% OF THE HOMES THAT REMAIN UN-SEPARATED.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE, MI THANKED THE FIVE COUNCILMEMBERS WHO FAVOR GIVING GOVERNMENT BACK TO THE PEOPLE. NONE OF THE 75% OF RESIDENTS WHO ARE ALREADY SEPARATED WERE GIVEN THE TYPE OF ADVANCE NOTICE THAT MAYOR HOLLISTER IS PROPOSING FOR THE REMAINING 25%. NOR DID THEY HAVE THEIR HANDS HELD DURING THE COURSE OF HAVING THEIR SPECIAL ASSESSMENTS ASSESSED.

#### **CITY OFFICERS & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

2. AFFIDAVIT OF DISCLOSURE FILED BY OFFICER JOEL MAATMAN OF LPD

REFERRED TO THE ETHICS BOARD

3. LETTER FROM THE PARKS AND RECREATION DEPARTMENT

SUBMITTING RATES AND FEES FOR MUNICIPAL CEMETERIES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: 54-A DISTRICT COURT, LFD, PARKS & RECREATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. GRANT ACCEPTANCE: COMMUNITY POLICING

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. LETTER OF APPRECIATION TO BRYAN EPLING OF LFD

RECEIVED AND PLACED ON FILE

D. REAPPOINTMENT OF KENNETH G. MACDONALD OF 6310 NORBURN WAY TO THE BOARD OF REVIEW FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE OF THE WHOLE

E. REAPPOINTMENT OF KENNETH E. BALCER OF 1646 WELLINGTON TO THE BOARD OF FIRE COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. REAPPOINTMENT OF DON STYPULA OF 2318 TULANE TO AN AT-LARGE SEAT ON THE PUBLIC SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

G. APPOINTMENT OF EDDIE L. THOMAS OF 1520 W. IONIA TO THE BOARD OF REVIEW FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE OF THE WHOLE

H. AMENDMENT TO RESOLUTION #116 OF 1996; SLU-11-95, 3016 RISDALE

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

I. LETTER OF APPRECIATION FROM GINA L. ZASADNY, INGHAM COUNTY ASSISTANT PROSECUTING ATTORNEY TO LPD OFFICERS JOHN SELLECK AND KEVIN KILBOURN

RECEIVED AND PLACED ON FILE

J. LETTER OF APPRECIATION FROM BARRY V. PRICE TO DENNIS SYKES, PLANNING & NEIGHBORHOOD DEVELOPMENT DIRECTOR

RECEIVED AND PLACED ON FILE

K. LETTER OF APPRECIATION FROM GUILLERMO Z. LOPEZ TO THE LPD FOR THEIR COOPERATION IN FIESTA '96 & '97

RECEIVED AND PLACED ON FILE

L. LETTER OF THANKS FROM STEVE RALL OF THE LANSING COMMUNITY MICRO-ENTERPRISE FUND

RECEIVED AND PLACED ON FILE

M. PUBLIC IMPROVEMENT I, CURB & GUTTER AND STORM SEWER FOR FIRESIDE DRIVE

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

N. TWELVE (12) LETTERS IN SUPPORT OF PRD-02-97 AND Z-09-97 FOR CEDAR PARK APARTMENTS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

O. REAPPOINTMENT OF GILDA RICHARDSON OF 3024 COLCHESTER RD. TO AN AT-LARGE SEAT ON THE PUBLIC SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1999

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

### COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. TEN (10) LETTERS IN SUPPORT OF PRD-02-97 AND Z-09-97 FOR CEDAR PARK APARTMENTS

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. MICHIGAN TAX TRIBUNAL APPEAL FILED BY MOTOR WHEEL CORPORATION

REFERRED TO THE CITY ATTORNEY

3. NOTICE FROM THE STATE OF MICHIGAN PUBLIC SERVICE COMMISSION OF A PUBLIC HEARING FOR THE CUSTOMERS OF CONSUMERS POWER CO. CASE #U-11060-R TO BE HELD ON JULY 30, 1997

RECEIVED AND PLACED ON FILE

4. STORMWATER ENTERPRISE FUND APPEALS SUBMITTED BY: BERNITA B. BERRYHILL OF 322 CARRIER ST., WALTER SHERWOOD NO ADDRESS GIVEN, NOLAND LANGFORD OF 533 CLIFFORD ST.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

5/ LETTERS FROM CHRISTINE TIMMON RE: STORMWATER ENTERPRISE FUND APPEALS, THE NON-PARTISAN NATURE OF CITY COUNCIL ELECTIONS

RECEIVED AND PLACED ON FILE

6. LETTER FROM VIRGINIA L. COCHRAN OF 809 W. BARNES AVE. REQUESTING THE INSTALLATION OF STOP SIGNS ON BARNES AVE. BETWEEN WASHINGTON AVE. AND M.L. KING, JR. BLVD.

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

7. LETTER OF COMPLAINT FROM MARY PHILO ABOUT PUBLIC SPEAKERS AT CITY COUNCIL MEETINGS NOT GIVING THEIR ADDRESSES

REFERRED TO THE COUNCIL PRESIDENT

8. LETTER FROM THE CAPITAL AREA RAIL COUNCIL REQUESTING A 20% BUDGET INCREASE FOR THE FY 1997-98 BUDGET YEAR

REFERRED TO THE COMMITTEE OF THE WHOLE

9. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; STORMWATER ENTERPRISE FUND APPEAL FROM GEORGE GRABOWSKI OF LANSING GARDENS

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER ANNOUNCED THE CANCELLATION OF THE INTERGOVERNMENTAL RELATIONS COMMITTEE MEETING FOR THIS WEEK. SHE REPORTED ATTENDING THE "ART IN THE PARK" EVENT THIS LAST WEEKEND AT FERRIS PARK, THE "TEA IN THE GARDEN" EVENT AT THE MICHIGAN WOMEN'S HALL OF FAME AND THE BASEBALL FESTIVAL AT OLDSMOBILE PARK. SHE SAID THAT THE RIVERWALK IS SEEING A GREAT DEAL OF USE BY BIKERS, ROLLERBLADERS AND WALKERS AND JOGGERS. SHE REPORTED THAT ON WEDNESDAY, AUGUST 13TH, THE 1997 ST. PETERSBURG RUSSIA SISTER CITY DELEGATION WILL PRESENT A SLIDE SHOW AND TRAVELOGUE AT THE MICHIGAN CAPITAL MEDICAL CENTER AT 7:00 P.M.

COUNCILMEMBER JONES THANKED THE CITIZENS WHO HAVE DEVOTED VOLUNTEER HOURS TO RESEARCH OF THE STORMWATER ENTERPRISE FUND ORDINANCE ISSUE. HE FINDS IT REGRETTABLE THAT THE ADMINISTRATION CHOOSES NOT TO LISTEN TO THE VOICE OF THE PEOPLE. HE WELCOMED PABLO JONES TO LANSING. PABLO IS HIS GRANDSON WHO IS VISITING FROM LIBERTYVILLE, IL.

COUNCILMEMBER NOVAK COMPLIMENTED COUNCILMEMBER JONES ON THE NAME OF HIS GRANDSON. HE STATED A COMPLAINT ABOUT WHAT HE FEELS IS A TOO STRINGENT OBSERVATION OF THE RULES BY THE LIFE-GUARDS AT MOORES PARK POOL. THEY NEED TO USE MORE DISCRETION

IN TERMS OF HOW THEY ENFORCE THE RULES.

COUNCILMEMBER BENAVIDES CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE COMMITTEE ON GENERAL SERVICES THIS WEDNESDAY AT 9:00 A.M.

COUNCIL PRESIDENT BEAL SAID THAT THE COMMITTEE OF THE WHOLE WILL BE TAKING UP THE SCHEDULING OF HEARINGS FROM THE MELLING FORGE TEAR GAS INCIDENT. COUNCILMEMBERS SHOULD RECEIVE SCHEDULING FORMS IN THEIR MAIL BOXES TOMORROW. SHE REQUESTED THAT THEY BE HANDLED EXPEDIENTLY.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

LIZA ESTLUND OLSON REPORTED THAT THE FIREWORKS BUILDING OWNED BY MR. HAADAD ON CEDAR ST. HAS NOW BEEN DEMOLISHED. SHE INFORMED COUNCILMEMBER NOVAK THAT THE LIFE-GUARDS AT MOORES PARK POOL ARE JUST DOING THEIR JOBS IN ENFORCING THE RULES AND HE WILL HAVE TO BITE THE BULLET AND OBEY THEM AND BE A PROPER ROLL MODEL. SHE ANNOUNCED THAT THE MOBILE CITY HALL WILL BE AT WALSH PARK TOMORROW FROM 6:00 P.M. TO 8:00 P.M. WITH ICE CREAM AND STICKERS FOR THE KIDS AND DEPARTMENT REPRESENTATIVES WITH INFORMATION ABOUT CITY SERVICES FOR THE ADULTS. ADDITIONALLY, TUESDAY AND THURSDAY OF THIS WEEK THE IN-LINE SKATING RINK WILL BE AT GIER COMMUNITY CENTER. THE CONCERT IN THE PARK THIS WEEK FEATURES J&J SOUNDS AT FRANCIS PARK.

**ADJOURNED 10:35 P.M.**

**MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS JULY 28, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF JULY 14, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES:

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER JONES; A RESOLUTION OF TRIBUTE TO THE LANSING SCHOOL DISTRICT AND HARRY HILL VOCATIONAL CENTER FOR THE CREATION OF A NEW CAREER TECHNICAL SCHOOL

2. FROM COUNCILMEMBER BENAVIDES; AN APPLICATION FOR TEMPORARY OUTDOOR USE PERMIT FILED BY RUMRUNNERS

3. FROM COUNCILMEMBER LILLY; AN AMENDMENT TO THE CARRY-FORWARD RESOLUTION, APPROPRIATING FUNDS FROM THE COMMUNITY PROMOTIONS ACCOUNT FOR TRAVEL EXPENSES FOR THE TEAM MICHIGAN OUTREACH PROGRAM

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES URGED CITIZENS TO WATCH THE RE-RUNS OF THE JUNE 2, 1997 CITY COUNCIL MEETING. THIS MEETING WILL BE RE-RUN ON AUGUST 5, 1997 WHICH IS

PRIMARY ELECTION DAY IN LANSING. CHANNEL 28 WILL REPEAT THIS BROADCAST ON AUGUST 7, 1997. HE ACCUSED THE LANSING STATE JOURNAL OF USING UNETHICAL STANDARDS IN REPORTING THEIR NEWS STORIES. HE STATED THAT AS OF THE END OF THE FISCAL YEAR THE CITY HAD MORE THAN \$10,000,000 REMAINING IN CSO PROJECT FUNDS.

MAYOR HOLLISTER DISTRIBUTED MAPS DEMONSTRATING THE COURSE OF THE DETOUR THAT THE RIVERTRAIL WILL TAKE TO SKIRT THE FERGUSON DEVELOPMENT PROJECT IN THE OLDTOWN AREA. HE REMINDED EVERYONE THAT WEDNESDAY IS THE THIRD ANNUAL CITY OF LANSING EMPLOYEE APPRECIATION PICNIC. THIS EVENT IS FOR ALL CITY EMPLOYEES AND THEIR FAMILIES AND WILL BE HELD AT FRANCIS PARK FROM 4:00 P.M. TO 7:00 P.M. FOLLOWING THE EMPLOYEE PICNIC WILL BE THE CONCERT IN THE PARK FEATURING THE BAND KIKKER. HE URGED EVERYONE TO ATTEND. THE PARKS & RECREATION DEPARTMENT IS SPONSORING IN-LINE SKATING ON TUESDAY, JULY 29, AND THURSDAY JULY 31, 1997 AT THE FOSTER COMMUNITY CENTER. HE ANNOUNCED THE LPD'S SELECTION TO PARTICIPATE IN A PILOT PROGRAM WHICH WILL STUDY HEART ATTACK VICTIMS.

► SPECIAL CEREMONIES:

A. MAYOR HOLLISTER INTRODUCED STEVE LUCIANO, AND THE NEWEST RECRUITS OF THE LANSING POLICE DEPARTMENT. MR. LUCIANO TOLD COUNCILMEMBERS THAT THE POLICE DEPARTMENT HAS BEEN AGGRESSIVELY RECRUITING THROUGH SCHOOLS, CHURCHES, HOSPITALS AND TEAM MEETINGS. THEY HAVE ACHIEVED A 3% INCREASE IN MINORITY REPRESENTATION WITHIN THE POLICE DEPARTMENT, AND HAVE ESTABLISHED A NEW MENTORING PROGRAM. THE RECRUITS THAT HE HAS INTRODUCED HERE TONIGHT ARE ALREADY MEMBERS OF THE POLICE DEPARTMENT. THEY HAVE BEEN HIRED AND ARE STUDENTS OF THE 61ST MID MICHIGAN POLICE ACADEMY, CONDUCTED AT L.C.C., WHICH IS A 1,500 HOUR COURSE. LANSING'S NEW RECRUITS ARE AS FOLLOWS: TERRY HARVEY, KRYSTOL SKIPPER, CHAKA McDONALD, ROCHELLE WILSON, TONY NETTLES, KATHOSHA WATSON, MICHAEL BRATTON, AND CHARLES FUNK. THE RECRUITS EACH INTRODUCED THEMSELVES TO COUNCILMEMBERS AND EXPRESSED THEIR PLEASURE AT BEING GIVEN THIS OPPORTUNITY TO SERVE THE CITY OF LANSING.

B. MAYOR HOLLISTER, ALONG WITH MURDOCK JEMERSON, MANAGER OF LEISURE SERVICES OF THE PARKS & RECREATION DEPARTMENT PRESENTED CERTIFICATES OF RECOGNITION TO PARTICIPANTS OF THE HERSHEY TRACK AND FIELD STATE FINAL'S HELD ON JULY 11, 1997 IN HOWELL.

BY COUNCILMEMBER LILLY

THAT \$2,000 OF THE \$5,000 UNENCUMBERED BALANCE IN COMMUNITY PROMOTION ACCOUNT #101-173901-



741289-O BE APPROPRIATED FOR TEAM MICHIGAN TRAVEL EXPENSES

CARRIED UNANIMOUSLY

C. MAYOR HOLLISTER, ALONG WITH COUNCILMEMBER BAUER PRESENTED A PROCLAMATION DECLARING JULY 27 THROUGH AUGUST 2, 1997 AS NATIONAL HOSPITALITY HOUSE WEEK TO VOLUNTEERS OF THE MICHIGAN CAPITAL MEDICAL CARE "McREE HOUSE". THEY THANKED THE VOLUNTEERS FOR THEIR SERVICE TO THE CITY. COUNCILMEMBER BAUER ANNOUNCED THAT McREE HOUSE HAS BEEN OPEN FOR OVER 6 YEARS AND HAS SERVED OVER 8,000 PEOPLE WHO HAVE COME INTO OUR COMMUNITY FROM 40 DIFFERENT STATES AND FROM AS FAR AWAY AS ARGENTINA. SHE ANNOUNCED AN OPEN HOUSE IN CELEBRATION OF NATIONAL HOSPITALITY HOUSE WEEK THIS WEDNESDAY FROM 9:00 A.M. TO 4:00 P.M.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### **► PUBLIC COMMENTS ON PUBLIC HEARINGS**

1. TO CONSIDER ESTABLISHING A BROWNFIELD REDEVELOPMENT AUTHORITY TO REGULATE A ZONE CONSISTING OF ALL PROPERTY WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF LANSING

STEPHANIE WHITBECK OF 620 W. IONIA, THE LAND USE CHAIR OF THE DOWNTOWN NEIGHBORHOOD ORGANIZATION, TIED THE USE OF BROWNFIELD REDEVELOPMENT AREAS TO THE DEMOLITION OF HISTORIC STRUCTURES. THIS IS AN AREA THAT CONCERNS HER, AS WELL AS MANY OTHERS IN TONIGHT'S AUDIENCE. SHE ASKED THE AUDIENCE MEMBERS IN ATTENDANCE TO SHOW SUPPORT FOR PRESERVATION OF THE CITY'S HISTORIC STRUCTURES AND RESIDENTIAL NEIGHBORHOODS TO STAND. APPROXIMATELY 60 PEOPLE STOOD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. IN CONSIDERATION OF Z-03-97, WILLOW ST. & M.L. KING BLVD., PETITION FOR REZONING FROM "B" RESIDENTIAL, "F" COMMERCIAL AND "J" PARKING TO "F" COMMERCIAL DISTRICTS TO ALLOW FOR CONSTRUCTION OF A 10,880 SQUARE FOOT PHARMACY

CALVIN ANDERSON OF 1112 W. MAPLE SPOKE IN SUPPORT OF THIS REZONING. HE STATED THAT THIS PETITION IS SUPPORTED BY 150 OF HIS NEIGHBORS.

REVEREND MICHAEL MURPHY OF 1521 INVERNESS STATED HIS SUPPORT OF THIS REZONING PETITION. HE HAS FOLLOWED THIS REQUEST FROM THE BEGINNING. ARBOR DRUGS HAS AGREED NOT TO SELL ALCOHOL FROM THIS LOCATION, AND UPON THIS CONDITION, HE APPROVES OF THE REZONING.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. IN CONSIDERATION OF Z-08-97; 3500 N. M.L. KING

BLVD., PETITION FOR REZONING FROM "A" RESIDENTIAL TO "H" LIGHT INDUSTRIAL DISTRICTS TO BRING THE ZONING INTO CONFORMANCE WITH CURRENT AND CONTINUED LAND USE

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

COUNCILMEMBER LILLY ANNOUNCED THAT THE BROWNFIELDS PROPOSAL AND THE REZONING OF 3500 MARTIN LUTHER KING, JR. BLVD. WILL BE ON THE AGENDA OF THE DEVELOPMENT AND PLANNING COMMITTEE AT THEIR MEETING TO BE HELD TWO WEEKS FROM TOMORROW. THE ARBOR DRUGS PROPOSAL FOR Z-03-97 WILL BE ON THE AGENDA FOR TOMORROW'S MEETING, WHICH WILL TAKE PLACE AT 2:30 P.M.

#### **► LEGISLATIVE MATTERS:**

JAN KOLP OF 2828 FOREST RD. STATED HER OPPOSITION TO THE STORMWATER ENTERPRISE FUND ORDINANCE. SHE SUGGESTED THAT NON-RESIDENT INCOME TAX BE RAISED TO PAY FOR THE CSO PROJECT.

RICHARD ROBINSON OF 2169 JOLLY RD., IN OKEMOS, REPRESENTING THE LANSING COUNTRY CLUB, PROTESTED THE DENIAL OF THEIR STORMWATER ENTERPRISE FUND APPEAL. THEY HAVE SPENT A LOT OF MONEY TO ELIMINATE THE DISCHARGE OF STORMWATER FLUIDS INTO THE CSO SYSTEM. HE ASKED COUNCIL TO TABLE THIS RESOLUTION TONIGHT AND TO RECONSIDER THEIR UNIQUE CIRCUMSTANCES.

RUSSELL TERRY OF 121 E. MT. HOPE SUGGESTED THAT COUNCILMEMBER BENAVIDES VOTE TO OVERRIDE THE MAYORAL VETO OF THE RESOLUTION PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER GENERAL ELECTION BALLOT. HE STATED HIS SUPPORT FOR COUNCILMEMBER JONES ORDINANCE BANNING SWEATSHOPS.

WILLIE WILLIAMS OF 505 W. LENAWEE SAID THAT HE IS HERE TO REPRESENT THE SILENT MAJORITY WHO PAY THEIR STORMWATER ENTERPRISE FUND ORDINANCE BILLS AND CARE ABOUT HAVING CLEAN RIVERS AND LAKES. HE DOES NOT BELIEVE THAT IT MAKES SENSE TO REPEAL ONE FUNDING MEASURE WITHOUT REPLACING IT WITH ANOTHER. THE MAIN PROBLEM WITH THE STORMWATER ENTERPRISE FUND ORDINANCE IS THE BIG PROPERTY OWNER. SEVENTY PERCENT OF LANSING RESIDENTIAL PROPERTY OWNERS HAVE ALREADY PAID THIS FEE. MAYBE LARGE PROPERTY OWNERS SHOULD CONSIDER LIQUIDATING A PORTION OF THEIR PROPERTIES TO REDUCE THEIR FEES. HE SAID THAT HE WOULD LIKE TO SEE SOME OF THE "LILLY PUPPETS" VOTE THEIR OWN MINDS, BUT THEY PROBABLY WILL NOT BECAUSE OF COUNCILMEMBER LILLY'S USE OF INTIMIDATION.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH RETRACTED STATEMENTS THAT SHE MADE AT LAST WEEK MEETING REGARDING MAYOR HOLLISTER'S VETO OF THE LANGUAGE PLACING THE REPEAL OF THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT. SHE DESCRIBED HOLLISTER AS THE "CITY FATHER" AND SAID



THAT "FATHER KNOWS BEST". THE VOTERS, SHE SAID, ARE NOT AWARE OF ALL OF THE ISSUES INVOLVED IN THIS MATTER. THE MONDAY NIGHT CITY COUNCIL MEETINGS ARE JUST "DOG AND PONY" SHOWS WITH ALL OF THE REAL WORK BEING DONE IN COMMITTEE MEETINGS. THE CONSULTANTS HIRED TO STUDY THIS MATTER, CAMP DRESSER & MCKEE, WILL LIKELY COME UP WITH A BETTER METHOD FOR FINANCING THE CSO PROJECT AND WE SHOULD AWAIT THEIR RECOMMENDATIONS. THEY WILL BE INVOLVED IN A THREE DAY BRAIN-STORMING SESSION ON THIS MATTER AT THE LANSING CENTER ON AUGUST 26-29. IT IS WRONG TO FOOL AROUND WITH A BALLOT QUESTION THAT DOES NOT PRESENT ALL THE ISSUES.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. DEMANDED THAT MAYOR HOLLISTER PRODUCE THE LETTER THAT CONFIRMS THE FEDERAL MANDATE THAT PRECIPITATED THE CSO PROJECT. HE URGED COUNCILMEMBER BENAVIDES TO "DO THE RIGHT THING".

LLOYD TEETS OF 116 E. ELM ST. SAID THAT IT IS MAYOR HOLLISTER'S INTENTION TO KEEP THIS ISSUE OFF OF THE NOVEMBER ELECTION BALLOT, BECAUSE PEOPLE ASSOCIATE THEIR "NO VOTE" ON THE STORMWATER ENTERPRISE FUND ORDINANCE WITH A "NO VOTE" FOR DAVID HOLLISTER. HE STATED THAT HE WAS THE ONLY MEMBER OF THE AD HOC STORMWATER COMMITTEE WHO THOUGHT THIS METHODOLOGY WAS A DISASTER. HE PROPOSED AN ALTERNATIVE FUNDING MECHANISM THAT THE COMMITTEE CONSIDERED, BUT REJECTED.

KELLY PROPER OF 111 E. CAVANAUGH STATED HER SUPPORT FOR THE RESOLUTION OVERRIDING THE MAYORAL VETO OF THE RESOLUTION THAT PLACED THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT. THE PUBLIC HAS DEMANDED A VOTE ON THIS 30 YEAR PROJECT THAT IMPACTS SO SIGNIFICANTLY ON THEIR DAILY LIVES. SHE WANTS THIS PROJECT TO BE STARTED ALL OVER FROM THE BEGINNING, SO THAT THE PUBLIC CAN BE EDUCATED THROUGHOUT THE PROCESS AND UNTO IT'S FINISH. SHE ASKED THE CITY ATTORNEY IF THIS FEE, PLACED AS A LIEN ON THE TAXES OF A PROPERTY OWNER, COULD CAUSE THE PROPERTY TO BE TAKEN AWAY. CITY ATTORNEY SMIERTKA ANSWERED; ONLY IF A FEE REMAINS UNPAID FOR ONE YEAR AFTER IT'S DUE DATE, AND IS PLACED ON THE TAX BILL, AS A LIEN, AND REMAINS UNPAID FOR THE LENGTH OF TIME IT TAKES FOR THE PROPERTY TO GO TO TAX SALE. ONLY ONE GROUP HAS HAD THEIR UNPAID STORMWATER ENTERPRISE FUND FEES PLACED ON THEIR TAX BILLS. THOSE ARE PROPERTY OWNERS WHO HAVE STILL NOT PAID THEIR 1995 FEES, THESE FEES HAVE BEEN PLACED ON THOSE PROPERTY OWNERS 1996 TAX STATEMENTS.

ALEXANDER BOLT OF 1230 REO RD. REVIEWED THE ATTEMPTS BY CARTO TO REPEAL THE STORMWATER ENTERPRISE FUND ORDINANCE. HE ACCUSED MAYOR HOLLISTER OF VETOING CITIZENS RIGHTS TO PARTICIPATE IN THE AFFAIRS OF THE CITY. HE URGED COUNCILMEMBERS TO OVERRIDE THE MAYORAL VETO.

TOM LAFFERTY OF 1806 W. MICHIGAN SAID THAT THE WASTER WATER TREATMENT PLANT CLEANS LANSING SEWAGE SO WELL THAT IT IS CLEANER THAN THE WATER IN THE GRAND RIVER.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. SAID THAT MAYOR HOLLISTER'S VETO WILL STAND, BUT SHOULD BE OVERTURNED. THIS IS THE WRONG TIME TO PAY THIS BILL. HE WOULD LIKE TO CONVINCE COUNCILMEMBER NOVAK TO CHANGE HIS VOTE SO THAT THE OVERRIDE CAN PASS. HE QUESTIONED THE LEGALITY OF A MAYORAL VETO ON THE RESOLUTION THAT IS BEFORE COUNCIL TONIGHT.

PRESIDENT BELL RECESSED THIS SESSION OF THE LANSING CITY COUNCIL AT 8:40 P.M. AND RECONVENED THE SESSION AT 8:50 P.M.

### LEGISLATIVE MATTERS RESOLUTIONS

PASSAGE OF THIS RESOLUTION WAS DEFEATED BY A VOTE OF 5/3, THE RESOLUTION REQUIRING 6 AFFIRMATIVE VOTES BECAUSE IT IS AN OVERRIDE OF A MAYORAL VETO

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON JULY 23, 1997, THE MAYOR FILED A NOTICE OF VETO RELATIVE TO COUNCIL RESOLUTION 398 OF JULY 21, 1997 (THE "RESOLUTION"); AND

WHEREAS, PURSUANT TO SECTION 3-305.3 OF THE LANSING CITY CHARTER, COUNCIL MAY OVERRIDE A MAYORAL VETO BY THE AFFIRMATIVE VOTE OF TWO-THIRDS OF THE COUNCIL MEMBERS SERVING AT A MEETING HELD WITHIN TWO WEEKS OF THE NOTICE OF VETO;

NOW THEREFORE, BE IT RESOLVED THAT COUNCIL HEREBY OVERRIDES THE MAYOR'S NOTICE OF VETO OF THE RESOLUTION AND HEREBY ADOPTS AND APPROVES THE RESOLUTION BY THE REQUIRED VOTE OF TWO-THIRDS OF COUNCILMEMBERS SERVING.

BY COUNCILMEMBER LILLY

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

MOTION DEFEATED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES NOVAK

### RESOLUTION #412

MOTION BY COUNCILMEMBERS  
BEAL, LILLY & JONES

SUBSTITUTE FOR RESOLUTION VIII. B. 1.

COUNCILMEMBERS BEAL, LILLY AND JONES MOVE, PURSUANT TO SECTION 2407 OF THE CITY CHARTER, THAT THE FOLLOWING PROPOSAL FOR THE REPEAL OF ORDINANCE NO. ~~295~~ 925 BE SUBMITTED TO THE VOTERS FOR CONSIDERATION BY THE ELECTORATE ON THE BALLOT THIS NOVEMBER 4, 1997, IN THE MANNER AND WITH THE EFFECT IN ARTICLE 2, CHAPTER 4 OF THE LANSING CITY CHARTER:

ON OCTOBER 9, 1995, THE LANSING CITY COUNCIL



VOTED AND APPROVED ORDINANCE NO. 925, ENTITLED THE "STORMWATER ENTERPRISE FUND" (FUND), AS A MEANS TO DEFRAY THE COST OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SYSTEM AND TO PROVIDE A METHOD FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT SUCH A FUND.

SHALL THE CITY OF LANSING ORDINANCE NO. 925, ENACTED ON OCTOBER 9, 1995, BE REPEALED, EFFECTIVE DECEMBER 1, 1997.

YES \_\_\_\_\_ NO \_\_\_\_\_

BY COUNCILMEMBER LILLY

TO RECONSIDER RESOLUTION #398, ADOPTED ON JULY 21, 1997, WHICH PLACED THIS ISSUE ON THE NOVEMBER 4, 1997 GENERAL ELECTION BALLOT

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

BY COUNCILMEMBER LILLY

TO PLACE A SUBSTITUTE RESOLUTION ON TONIGHT'S AGENDA PLACING THIS LANGUAGE ON THE BALLOT AND TO ACCEPT A FRIENDLY AMENDMENT TO THE RESOLUTION ON LINE THREE TO CORRECTLY STATE THE ORDINANCE NUMBER AS #925, AND THAT THE CLERK BE DIRECTED, VIA THIS MOTION, TO PLACE THIS LANGUAGE ON THE BALLOT FOR THE NOVEMBER 4, 1997 GENERAL ELECTION

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

#### RESOLUTION #413

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$20,000 IN THE FY97 GENERAL FUND BUDGET TO THE COMMUNITY PROMOTIONS ACCOUNT, FOR THE PURPOSE OF ASSISTING WITH THE EXPENSES OF LARGE COMMUNITY-ORIENTED EVENTS; AND

WHEREAS, A REVIEW OF THE REQUEST WAS MADE FOR PAYMENT OF SUCH EXPENSES IN THE AMOUNT OF \$822.87, COVERING PARKS DEPARTMENT SHOWMOBILE FEES FROM THE SUNDAY IN THE PARK FOR THE NEIGHBORHOOD ADVISORY BOARD ON JULY 20, 1997; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY AUTHORIZES CHARGES IN THE AMOUNT OF \$822.87 TO ACCOUNT #101-173901-741289-0; AND

AND BE IT FURTHER RESOLVED THIS PAYMENT SHALL BE MADE BY MEANS OF AN INTERDEPARTMENTAL VOUCHER TO BE GENERATED BY THE PARKS AND RECREATION DEPARTMENT;

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED DURING THE VOTE ON THIS ITEM)

#### RESOLUTION #414

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF BLANCHE BADER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-06-279-222-5; COMMONLY KNOWN AS 2623 WILSON AVENUE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-06-279-222-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF BLANCHE BADER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-06-279-222-5 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-06-279-222-5 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, JONES, LILLY

#### RESOLUTION #415

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING



WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF CEDARWAY FREE METHODIST, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-33451-131-0; COMMONLY KNOWN AS 4515 SOUTH CEDAR STREET, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-33-451-131-0 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF CEDARWAY FREE METHODIST WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-33-451-131-0 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-33-451-131-0 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, JONES, LILLY

#### **RESOLUTION #416**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF THOMAS BOGREN AND JANELLE BRAATZ, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3305-10-426-104-7; COMMONLY KNOWN AS 6916 KINGDON AVENUE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3305-10-426-104-7 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF THOMAS BOGREN AND JANELLE BRAATZ WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE

IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-10-426-104-7 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-10-426-104-7 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, JONES, LILLY

#### **RESOLUTION #417**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF THE COUNTRY CLUB OF LANSING, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-20-301-001-0; COMMONLY KNOWN AS 2200 MOORES RIVER DRIVE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-20-301-001-0 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF THE COUNTRY CLUB OF LANSING WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-20-301-001-0 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-20-301-001-0 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES



ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES,  
LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, JONES, LILLY

**RESOLUTION #418**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF GARY AND SHERYL CASTEEL, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-31326-081-1; COMMONLY KNOWN AS 4424 BARCLAY PLACE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-31-326-081-1 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF GARY AND SHERYL CASTEEL WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-326-081-1 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-326-081-1 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES,  
LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, JONES, LILLY

**RESOLUTION #419**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF HAROLD BROWN, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3305-08-426-022-7;

COMMONLY KNOWN AS 6726 SOUTH WASHINGTON, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3305-08-426-022-7 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF HAROLD BROWN WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3305-08-426-022-7 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3305-08-426-022-7 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES,  
LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, JONES, LILLY

**RESOLUTION #420**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF MARIE BRACE, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-31-226-021-8; COMMONLY KNOWN AS 2421 WEST HOLMES ROAD, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-31-226-021-8 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF MARIE BRACE WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-31-226-021-8 IS WARRANTED; AND



WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-31-226-021-8 BE REDUCED FROM \$398.21 TO \$151.23 AND THAT IN THE REDUCTION WILL HAVE CONTINUING EFFECT IN FUTURE ASSESSMENTS AND THAT REIMBURSEMENT BE GENERATED BY THE ADMINISTRATION; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY MARIE BRACE AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-31-226-021-8 GREATER THAN \$151.23 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

**RESOLUTION #421**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF JAMES AND MARTHA BOWDEN, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 2308-01-426-031-2; NO STREET FRONTAGE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 2308-01-426-031-2 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF JAMES AND MARTHA BOWDEN WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 2308-01-426-031-2 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 2308-01-426-031-2 BE REDUCED BY 100%, AND IF AT ANY TIME THERE NEEDS TO BE AN ASSESSMENT PLACED ON THIS PROPERTY FOR DRAIN

SERVICE THAT THE FEE WILL BE RECONSIDERED, AND THAT REIMBURSEMENT BE GENERATED BY THE ADMINISTRATION; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY JAMES AND MARTHA BOWDEN AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 2308-01-426-031-2 GREATER THAN 0.00 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

**RESOLUTION #422**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON JULY 23, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF JAMES AND MARTHA BOWDEN, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 2308-01-427-021-4; NO STREET FRONTAGE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 2308-01-427-021-4 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF JAMES AND MARTHA BOWDEN WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 2308-01-427-021-4 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 100% EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 2308-01-427-021-4 BE REDUCED BY 100% AND, IF AT ANY TIME THERE NEEDS TO BE AN ASSESSMENT PLACED ON THIS PROPERTY FOR DRAIN SERVICE THAT THE FEE WILL BE RECONSIDERED, AND THAT REIMBURSEMENT BE GENERATED BY THE ADMINISTRATION; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY JAMES AND MARTHA BOWDEN AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 2308-01-427-021-4 GREATER THAN 0.00 BE REFUNDED



WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

**RESOLUTION #423**  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS RE-APPOINTED KENNETH E. BALCER, 1646 WELLINGTON, LANSING TO FILL A VACANCY IN AN AT-LARGE SEAT ON THE FIRE BOARD OF COMMISSIONERS, FOR A TERM TO EXPIRE JUNE 30, 2001;  
AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS REVIEWED HIS CREDENTIALS FOR THE RE-APPOINTMENT AND FOUND HIM TO BE QUALIFIED TO SERVE ON THIS BOARD;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE RE-APPOINTMENT OF KENNETH E. BALCER TO AN AT-LARGE SEAT ON THE TRAFFIC BOARD, FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

THIS RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER JONES

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 97 TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$16,800	ESTIMATED REVENUES-GENERAL FUND 101-0-170001-0	FIRE DEPARTMENT-CONTROL 101-343501-992200-0
\$16,800	FIRE DEPT-CTRL 101-343501-992200-0	AMBULANCE EQUIPMENT 101-343570-977000-0

(REVENUE DETAIL ACCOUNT 101-0-673000-0. SALE OF USED DEFIBRILLATORS TO A THIRD PARTY RATHER THAN PLANNED TRADE IN, RESULTING IN NEED TO APPROPRIATE SALE PROCEEDS. REVENUE DETAIL ACCOUNT 101-0-673000-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,000	EST REV-GENERAL FUND 101-0-170001-0	PARKS & REC-CONTROL 101-783860-992200-0
\$5,000	PARKS & REC-CONTROL 101-783860-992200-0	CITIZEN DONATIONS 101-783810-741880-0

(DONATION FROM STATE EMPLOYEES CREDIT UNION FOR 4TH OF JULY ACTIVITIES. REVENUE DETAIL ACCOUNT 101-0-675000-0.)

**RESOLUTION #424**  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 98 TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$10,214	RETAINED EARNINGS-GOLF FUND 584-0-395001-0	
\$7,214		GROESBECK CONSTRUCTION 584-783851-970000-0
\$3,000		WAVERLY REPAIR & MAINT. 584-783854-746000-0

(NEW CONTROLLER SYSTEM FOR GROESBECK IRRIGATION TO BE INSTALLED DURING COURSE RENOVATION, PLUS NEW CART PATH AROUND 9TH GREEN. ALSO, NEW SIDING FOR WAVERLY STARTER HOUSE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$16,381.28	GEN. FUND EST. REV. 101-0-170001-0	DIST. COURT & PROBATION EXPENDITURES 101-0-132200-992200-0
\$16,381.28	EST REV.-DIST. COURT FUND 760-0-170001-0	EQUIPMENT 760-132201-977000-0

(DRUNK DRIVING CASE FLOW ASSISTANCE DISTRIBUTION FROM STATE OF MICHIGAN. REVENUE DETAIL ACCOUNT 101-0-666100-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,194.46	PARKS & REC.-WAGES HOURLY 101-783821-706000-0	TAXES AND ASSESSMENTS 101-783820-741860-0

(GREENHOUSE WAS BEING LEASED TO A PRIVATE ENTITY WHICH WAS RESPONSIBLE FOR TAXES. LEASE HAS NOW BEEN TERMINATED, BUT TAXES NOW DUE FOR PRIVATE USE. OTHER LEASING ARRANGEMENTS ARE BEING PURSUED.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #425**  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE LESSER OF THE AMOUNT INDICATED OR THE REMAINING UNENCUMBERED BALANCE IN THE FOLLOWING ACCOUNTS BE REAPPROPRIATED IN FY 98 TO THE



## ADMINISTRATIVE ACCOUNTS AS SHOWN;

BALANCE AS  
OF 6/24/97AMOUNT TO  
CARRY FORWARDGENERAL FUND

## CITY COUNCIL

\$ 10,720	101-112110-977000-0	UNENC. BALANCE
	CHANNEL 28 EQUIPMENT	
\$ 63,887	101-112110-963001-0	UNENC. BALANCE
	CABLE GRANTS	
	(ALLOCATION PER CABLE T.V. POLICY.)	

## MAYOR

\$ 14,822	101-172300-963002-0	UNENC. BALANCE
	NEIGHBORHOOD GRANTS PROGRAM	
	(REAPPROPRIATION OF FINDING PER BUDGET	
	POLICY DISCUSSION.)	

## PLANNING &amp; NEIGHBORHOOD DEVEL.

\$ 54,000	101-172620-743000-0	
	CONTRACTUAL SERVICES	\$30,000
	(CONTRACTUAL SVCS FOR DOWNTOWN MASTER	
	PLAN.)	
\$ 10,000	101-966000-991273-00026	
	GRANT MATCH	\$10,400
	(AWARDED MICHIGAN BUREAU OF HISTORY	
	GRANT DOES NOT BEGIN UNTIL 10/1/97.)	

## PERSONNEL

\$ 5,460	101-172800-708000-0	UNENC. BALANCE
	OVERTIME-SALARY	
\$ 6,416	101-172800-743050-0	UNENC. BALANCE
	CONTR. SERVICES-TEMP HELP	
	(DELAY IN IMPLEMENTATION OF AUTOMATION	
	PROJECT. WILL NEED TO RUN DUAL SYSTEMS	
	FOR PART OF FY 98.)	

## GENERAL ADMINISTRATION

\$ 3,207	101-173901-741870-0	UNENC. BALANCE
	EMPLOYEE RECOGNITION	
	(FUND EMPLOYEE RECOGNITION ACTIVITIES AND	
	EMPLOYEE NEWSLETTER.)	
\$ 16,417	101-173901-743000-0	UNENC. BALANCE
	PROFESSIONAL SERVICES	
	(STUDY OF BOARD OF WATER AND LIGHT.)	
\$ 5,000	101-173901-741289-0	\$5,000
	COMMUNITY PROMOTIONS	

## POLICE

\$ 323	101-343201-741879-0	\$323.39
	DONATIONS-DARE	
\$ 1,425	101-343201-741880-0	\$1,425.76
	DONATIONS-CONTRIBUTIONS	
\$ 267	101-343201-741892-0	\$267.04
	DONATIONS-GUN BUY BACK	
\$ 82	101-343201-741893-0	\$ 82.82
	DONATIONS-GUN BUY BACK MISC.	
\$ 74	101-343201-741894-0	\$ 74.29
	DONATIONS-PRINTS FOR LIFE	
	(CITIZEN CONTRIBUTIONS FOR VARIOUS	
	PURPOSES.)	
\$ 74,354	101-966000-991273-00032	\$40,624
	GRANT MATCH	
	(PROVIDE DATA TRANSMISSION FROM LAPTOP	
	COMPUTERS IN THE FIELD.)	

## FIRE

\$ 1,149	101-343501-741880-0	UNENC. BALANCE
	DONATIONS & CONTRIBUTIONS	
\$ 500	101-343501-741881-0	UNENC. BALANCE
	DONATIONS	

(DONATIONS FOR VARIOUS PURPOSES.)

\$ 50,889	101-343550-977000-0	\$50,889
	RADIO LAB EQUIPMENT	
	(DAVID CLARK INTERCOMMUNICATION EQUIPMENT	
	FOR FIRE APPARATUS PERSONNEL. AMOUNT TO	
	BE CARRIED FORWARD ONLY IF EQUIPMENT IS	
	UNENCUMBERED AS OF JUNE 30, 1997)	

## PUBLIC SERVICE-GENERAL FUND

\$ 68,390	101-173612-746401-0	\$27,450
	SCHEDULED MAINTENANCE	
	(INCOMPLETE PROJECTS-BLOCK WINDOWS AT	
	#1 STATION, CIRCULATING PUMPS AT #5	
	STATION, REPAIR OF 1/2 OF FRONT DRIVE AT #1	
	STATION, REPLACE CIRCULATING PUMPS AT	
	MILLER RD. CC, REBUILD AIR HANDLERS AT	
	CITY HALL.)	
\$50,000	101-453640-746000-0	UNENC. BALANCE
	REPAIR AND MAINTENANCE	
	(CONSTRUCT TRAFFIC CALMING PROJECTS TO BE	
	IDENTIFIED BY ONGOING TRAFFIC STUDIES.)	

## PARKS AND RECREATION

\$ 200	101-783810-741880	UNENC. BALANCE
	DONATIONS	
\$ 5,596	101-783833-707000-90001	UNENC. BALANCE
	TEMP HELP-LYRF	
\$ 5,689	101-783833-741000-90001	UNENC. BALANCE
	MISC. & OPER. LYRF	
\$ 2,250	101-783833-741875-0	UNENC. BALANCE
	LUGNUTS CLINIC GRANT	
	(REAPPROPRIATION OF DONATED FUNDS.)	
\$ 3,407	101-783830-977000-0	\$3,407
	EQUIPMENT	
	(REAPPROPRIATION OF EQUIPMENT	
	RECOMMENDED BY NEIGHBORHOOD GRANTS	
	ADVISORY BOARD AS PART OF FOSTER CENTER	
	REPAIRS.)	
\$ 730	101-783833-741850-0	UNENC. BALANCE
	SPECIAL PROGRAMS	
	(REAPPROPRIATION OF FUNDING UNDER	
	RESOLUTION 020 OF 1/27/97.)	

## PUBLIC SERVICE-ACT 51 MAJOR STREETS

\$100,000	202-453601-974100-50004	\$100,000
	M.L. KING, JR. BRIDGE	
\$100,000	202-453601-743700-50001	\$100,000
	ELM STREET BRIDGE	
	(ENGINEERING DIVISION WILL DEVELOP RFPs IN	
	JUNE FOR BID.)	
\$315,877	202-453601-974100-50002	UNENC. BALANCE
	MAJOR MAINTENANCE	
	(LAST OF PROJECTS TO BE BID IN JUNE FOR	
	SUMMER IMPLEMENTATION.)	
\$ 5,672	202-453601-974100-50003	\$5,672
	CLIPPERT STREET	
	(PROJECT INCOMPLETE AWAITING MDOT	
	ACCOUNTING.)	

## PUBLIC SERVICE-PARKING

\$9,070	585-453642-977000-0	UNENC. BALANCE
	OPERATIONS EQUIPMENT	
	(LOCKER & WORKSTATION FOR ENFORCEMENT	
	STAFF.)	
\$ 5,872	585-453644-746101-0	UNENC. BALANCE
	S. GRAND MAJOR MAINT.	
\$95,796	585-453646-746101-0	UNENC. BALANCE
	N. GRAND MAJOR MAINT.	
	(S. GRAND EMERGENCY LIGHT UPGRADE, N.	
	GRAND EXPANSION JOINT REPAIR.)	
\$ 3,655	585-453644-743000-0	UNENC. BALANCE
	S. GRAND PROFESSIONAL SERVICES	
\$ 7,835	585-453645-743000-0	UNENC. BALANCE
	S. CAPITOL PROFESSIONAL SVCS	



\$27,172 585-453646-743000-O  
N. GRAND PROFESSIONAL SVCS UNENC. BALANCE

\$ 2,972 585-453647-743000-O  
N. CAPITOL PROFESSIONAL SVCS UNENC. BALANCE  
(ENGINEERING REVIEW OF PARKING STRUCTURE  
CONDITION AND IDENTIFICATION OF REPAIR  
REQUIREMENTS.)

## PUBLIC SERVICE-WASTEWATER

\$135,564 590-453670-743000-O  
CONTRACTUAL SERVICES UNENC. BALANCE  
(PLANT VIDEO & BROCHURE. 6/24 BALANCE IS  
ADJUSTED FOR PREVIOUS COUNCIL ACTION TO  
CARRY FORWARD FUNDING FOR CSO STUDY IN  
THIS ACCOUNT.)

\$133,224 590-453670-746100-O  
BUILDING MAINTENANCE \$75,000  
(TERTIARY BUILDING ENGINEERING FOR REPAIRS  
DELAYED PENDING ROOF COMPLETION.)

\$338,929 590-453670-746200-O  
REPAIR AND MAINTENANCE \$165,000  
(REPAIRS TO 4 LARGE EFFLUENT PUMPS WHICH  
WERE INITIALLY INSTALLED IN 1975.)

\$110,506 590-453670-977000-O  
EQUIPMENT \$60,450  
(GATE OPENER, DEWATERING PUMP, AND UTILITY  
VEHICLE.)

\$308,828 590-453670-977008-O  
REPLACEMENT EQUIPMENT \$225,450  
(TERTIARY BUILDING HEATERS, 700 HP  
BLOWER, PICK-UP TRUCK.)

\$ 94,127 590-453671-977008-O  
PUMP STA. REPL. EQUIPMENT \$ 71,500  
(HARTON STR. EXHAUST FANS, VARIABLE  
FREQUENCY DRIVE FOR PUMP AT SCOTT PARK.)

\$188,695 590-933610-973000-20100  
CITY SHARE OF SANITARY UNENC. BALANCE  
(RESPONSE TO SEWER FAILURES AND REQUESTS  
FOR EXTENSION OF SERVICE.)

\$171,410 590-933610-973000-20125  
I & I PUBLIC LAND \$171,410  
(REPAIRS TO ABATE MAJOR SOURCE OF I & I IN  
AREA SERVED BY RIVERSEDGE PUMP STATION.)

\$180,000 590-933610-975000-20126  
STORAGE BUILDING-SLUDGE \$180,000  
(DELAYED. TO BE INCORPORATED IN Misc.  
PROJECTS RFP.)

\$ 99,849 590-933610-975000-20129  
TERTIARY BUILDING REPAIRS \$ 99,849  
(DELAYED PER ABOVE. TO BE INCLUDED IN  
Misc. PROJECTS RFP.)

\$317,272 590-933610-975000-20130  
FINAL TANK REPL. \$317,272  
(PROJECT CONTINGENCY PENDING COMPLETION.)

\$350,000 590-933610-975000-20131  
STRUCTURAL IMPR. \$350,000  
(TO BE INCLUDED IN Misc. PROJECTS RFP.)

\$856,765 590-933610-975000-20132  
SCADA UNENC. BALANCE  
(MULTI-YEAR PROJECT TO UPDATE CONTROL  
SYSTEMS.)

## PUBLIC SERVICE-RECYCLING

\$ 14,086 597-453687-741000-O  
Misc. & OPER. \$13,900

(COMPLETION OF SAFETY IMPROVEMENTS;  
FLOOR COVERING, RAIL REPAIR AT PITS, LADING  
DOCK PLATES.)

\$420,000 597-453685-978000-O  
VEHICLES \$420,000  
RECYCLING TRUCKS. BIDS RECENTLY RECEIVED  
IN JULY.)

## PUBLIC SERVICE-SERVICE GARAGE

\$539,654 640-453624-978000-O  
VEHICLES \$374,033  
(DELAY IN PURCHASING 6" TRAILER MOUNTED  
PUMP, 3" PUMP, (3) PICK-UP TRUCKS,  
MAINTAINER TRACTOR, RECYCLE TRUCK, & ONE  
MAN PACKER.)

\$ 45,048 640-453624-746100-O  
BUILDING MAINTENANCE \$10,000  
(CONSTRUCTION OF BREAK ROOM DELAYED.)

## DISTRICT COURT

\$35,803 760-132201-742000-O  
SUPPLIES UNENC. BALANCE

\$10,793 760-132201-747000-O  
TRAINING UNENC. BALANCE

\$88,331 760-132201-977000-O  
EQUIPMENT UNENC. BALANCE  
COMPLETION OF COURT NETWORK AND RELATED  
COSTS.)

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS  
REQUESTED TO PROVIDE REPORTS AS TO; PROPOSED  
PROJECT ACTIVITY FOR REQUESTED CARRY FORWARD OF  
GOLF FUND SURCHARGE PROCEEDS; A SCHEDULE FOR  
IMPLEMENTATION OF CURRENTLY FUNDED SEWAGE FUND  
MAINTENANCE AND CAPITAL PROJECTS INCLUSIVE OF THOSE  
PROJECTS IN THIS RESOLUTION; AND, PLANNED USES FOR  
THOSE CARRY FORWARDS REQUESTED FOR THE HUMAN  
SERVICES DISCRETIONARY ACCOUNT

BY COUNCILMEMBER JONES

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

BY COUNCILMEMBER LILLY

TO AMEND THE RESOLUTION BY ADDING A \$5,000  
CARRYFORWARD FROM COMMUNITY PROMOTION ACCOUNT  
#101-173901-741289-O WITH THE STIPULATION THAT  
\$2,000 OF THE \$5,000 BE APPROPRIATED FOR TEAM  
USA TRAVEL EXPENSES

CARRIED UNANIMOUSLY

THE MAIN MOTION BY COUNCILMEMBER JONES WAS:

CARRIED UNANIMOUSLY

## RESOLUTION #426

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS THE LANSING HOUSING AUTHORITY, AS THE  
GRANTEE, SUBMITTED AN APPLICATION TO THE DEPARTMENT  
OF HOUSING AND URBAN DEVELOPMENT FOR CONTINUATION



FUNDING FOR THREE COMMUNITY POLICING OFFICERS TO BE STATIONED AT PUBLIC HOUSING DEVELOPMENTS IN THE CITY OF LANSING, AND HAS RECEIVED NOTIFICATION THAT THEIR GRANT HAS BEEN APPROVED FOR \$231,131 FOR THE PERIOD MAY 1, 1997 THROUGH JUNE 30, 1998; AND

WHEREAS, THE MATCHING FUND REQUIREMENT TO THE CITY OF LANSING IS \$99,575; AND

WHEREAS, MATCHING FUNDS BUDGETED IN THE FY98 ADOPTED BUDGET ARE LESS THAN THE TOTAL REQUIRED MATCH AMOUNT, BUT IN COMBINATION WITH RESIDUAL FUNDS FOR THE PREVIOUS GRANT IN THE STATE AND FEDERAL PROGRAMS FUND COVERING THE PERIOD FROM APRIL 15, 1995 THROUGH APRIL 15, 1997, TOTAL \$103,461.58;; AND

WHEREAS, THE MAYOR HAS RECOMMENDED THE CONTINUATION OF THIS GRANT;

NOW, THEREFORE, BE IT RESOLVED, THE LANSING CITY COUNCIL APPROVES A CONTINUATION OF THE HUD/LHA C. O. P. E. GRANT, TO RUN FROM MAY 1, 1997 THROUGH JUNE 30, 1998, AND THE ALLOCATION OF LOCAL MATCHING FUNDS FOR THIS PURPOSE;

FURTHER, THAT THE CITY WILL PROVIDE SUPPLEMENTAL AND MATCHING FUNDS IN THE AMOUNT OF \$19,824.98, TO BE DRAWN FROM THE REMAINING BALANCE IN THE RELATED STATE & FEDERAL FUNDS OPERATING TRANSFER GRANT MATCHING FUNDS ACCOUNT FOR THE PRIOR GRANT PERIOD (A/C 273-0-696101-17726); AND

FURTHER, THAT THE ADMINISTRATION IS HEREBY AUTHORIZED TO MAKE THE NECESSARY OPERATING TRANSFER FROM THE OPERATING TRANSFER MATCHING FUNDS ACCOUNT FOR POLICE GRANTS IN STATE AND FEDERAL PROGRAMS (A/C 101-966000-991273-00032:\$79,750.02), AND TO CREATE APPROPRIATE ACCOUNTS WITHIN THE FEDERAL AND STATE PROGRAMS FUND FOR THE EXPENDITURE AND CONTROL OF THE BALANCE OF THE GRANT FUNDS; AND

BE IT FINALLY RESOLVED, THAT AUTHORITY FOR THESE POSITIONS WITHIN THE POLICE DEPARTMENT TABLE OF ORGANIZATION SHALL TERMINATE UPON EXPIRATION OF THIS GRANT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #427

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED KENNETH G. MACDONALD, 6310 NORBURN WAY, TO THE BOARD OF REVIEW, FOR A TERM TO EXPIRE JUNE, 2000; AND

WHEREAS, THE COMMITTEE OF THE WHOLE HAS

RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF KENNETH G. MACDONALD TO THE BOARD OF REVIEW FOR A TERM TO EXPIRE JUNE, 2000.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #428

BY COUNCILMEMBER HOWARD JONES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING SCHOOL DISTRICT AND LANSING COMMUNITY COLLEGE HAVE ANNOUNCED THE COMMENCEMENT OF DISCUSSIONS TO TRANSFORM THE HILL CENTER FOR ACADEMICS AND TECHNOLOGY INTO A CAREER-TECHNICAL FACILITY DESIGNED TO SERVE GRADES ELEVEN THROUGH FOURTEEN; AND

WHEREAS, THIS NEW PROGRAM HOLDS GREAT POTENTIAL FOR OFFERING ALTERNATIVES TO THE TRADITIONAL EDUCATIONAL STRUCTURE BY PROVIDING CAREER TECHNOLOGICAL TRAINING IN A FOUR-YEAR SEAMLESS CURRICULUM.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY EXTENDS THEIR SUPPORT TO THIS NEW AND EXCITING PROPOSAL TO BETTER EDUCATE AND, IN TURN, PLACE LANSING AREA YOUTH IN STEADY AND PRODUCTIVE CAREER PATHS; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL HEREBY COMMENDS AND SUPPORTS ROSSI RAY-TAYLOR, ASSOCIATE SUPERINTENDENT FOR THE LANSING SCHOOL DISTRICT AND PAT KEIR, LCC EXECUTIVE VICE-PRESIDENT AND PROVOST IN THEIR EFFORTS TO CREATE THIS NEW EDUCATIONAL PROGRAM.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #429

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LANSING, THAT THE ATTACHED APPLICATION FOR TEMPORARY OUTDOOR SERVICE FILED BY RUM RUNNERS BE APPROVED.

BY COUNCILMEMBER BENAVIDES

TO CONCUR WITH THE ATTACHED REQUEST FROM RUM RUNNERS, AND THAT THE CITY CLERK BE DIRECTED TO SIGN THE APPLICATION FOR TEMPORARY OUTDOOR SERVICE PERMIT, SIGNIFYING COUNCIL'S APPROVAL OF THE APPLICATION



CARRIED UNANIMOUSLY

## ORDINANCES FOR INTRODUCTION

### INTRODUCTION OF ORDINANCE AMENDING CHAPTER 206, PURCHASING ORDINANCE

BY COUNCILMEMBER JONES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 206, SECTION 206.01 AND ADDING A NEW SECTION, 206.23, FOR THE PURPOSE OF PROVIDING FOR THE PROHIBITION OF THE PURCHASING, LEASING, RENTING, OR TAKING ON CONSIGNMENT OF GOODS FOR USE OR FOR RESALE BY THE CITY OR CITY OWNED ENTERPRISES WHICH WERE PRODUCED OR MANUFACTURED UNDER SWEATSHOP CONDITIONS, WAS INTRODUCED BY COUNCILMEMBER JONES AND REFERRED TO THE COMMITTEE WAYS AND MEANS.

### RESOLUTION #430 RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER JONES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, AUGUST 11, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 206, SECTION 206.01 AND ADDING A NEW SECTION, 206.23 FOR THE PURPOSE OF PROVIDING FOR THE PROHIBITION OF THE PURCHASING, LEASING, RENTING, OR TAKING ON CONSIGNMENT OF GOODS FOR USE OR FOR RESALE BY THE CITY OR CITY OWNED ENTERPRISES WHICH WERE PRODUCED OR MANUFACTURED UNDER SWEATSHOP CONDITIONS

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

## OTHER BUSINESS

### ► PUBLIC COMMENT ON CITY RELATED MATTERS

AMMAHAD SHEKARAKKI OF 902 WILLOW ST. SAID THAT THE CITIZENS REVIEW BOARD PETITION CIRCULATION IS GOING WELL. HE CRITICIZED AN ARTICLE THAT APPEARED IN THE STATE JOURNAL LAST WEEKEND.

RUSSELL TERRY OF 121 E. MT. HOPE SPOKE IN OPPOSITION TO THE REQUEST FOR AN ORDINANCE DOUBLING FINES FOR TRAFFIC TICKETS RECEIVED IN SCHOOL/CONSTRUCTION ZONES. HE SAID THAT MAYOR HOLLISTER DOES NOT SUPPORT THE LOCAL RESCUE

MISSIONS. THIS IS IMPORTANT TO HOMELESS PEOPLE. HE URGED COUNCIL TO LOOK INTO THE LETTER OF COMPLAINT AGAINST AN EMPLOYEE OF THE HUMAN RELATIONS DEPARTMENT.

WILLIE WILLIAMS OF 505 W. LENAWEE CHALLENGED THE CITIZENS OF LANSING TO FIND SOMETHING TO DO. HE TOOK EXCEPTION TO THE PEOPLE WHO COME TO COUNCIL MEETINGS AND SCREAM AT COUNCILMEMBERS. THEY ARE THE ELECTED REPRESENTATIVES OF THE PUBLIC.

LEON BLACK, P.O. BOX 14335 ANNOUNCED HIS CANDIDACY FOR ONE OF THE AT-LARGE COUNCIL SEATS, AND THANKED COUNCILMEMBER JONES FOR ENDORSING HIS CANDIDACY.

GORDON WILSON OF 4700 CRYSTAL ST. COMMENDED COUNCILMEMBER LILLY FOR HIS ACTIONS ON THE RAIN FEE, HOWEVER, HE HAS NEGLECTED TO TELL THE VOTERS WHO IS SUPPORTING HIS CANDIDACY, SUCH AS THE BIG DEVELOPERS IN LANSING. MR. WILSON ANNOUNCED THAT HE, HIMSELF IS A CANDIDATE FOR AT-LARGE COUNCILMEMBER.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT SHE DOES NOT SEE ALL OF THE RACISM THAT IS MENTIONED AT THESE CITY COUNCIL MEETINGS. SHE HAS SEEN VERY LITTLE EVIDENCE OF RACISM IN LANSING. THE ONLY PEOPLE MENTIONING RACISM ARE THE PEOPLE WHO HAVE HIDDEN AGENDAS.

GWENDOLYN CONEY OF 3121 TURNER ST. SAID THAT SHE IS A MEMBER OF ST. MATTHEW AME CHURCH. SHE IS HERE REGARDING DANGEROUS PROPERTIES LOCATED IN THE 500 BLOCK OF MAPLE ST., PARTICULARLY 516 MAPLE. THIS PROPERTY HAS BEEN IN THE MAKE-SAFE OR DEMOLISH PROGRAM FOR SEVERAL YEARS, AND HAS ENDED UP IN THE CITY ATTORNEYS OFFICE. HOW CAN THEY GET THESE PROPERTIES TAKEN CARE OF, OR TORN DOWN. THERE ARE FIVE PROPERTIES, ALL OWNED BY THE SAME INDIVIDUAL, THAT NEED TO BE DEMOLISHED. SOME OF THE HOUSES ARE SERIOUSLY DANGEROUS TO YOUTH IN THE AREA.

WILLIAM CRENSHAW OF 3535 BLUE RIVER DR. SAID THAT HE, TOO, IS HERE IN REFERENCE TO THE UNSAFE PROPERTIES ON MAPLE ST. HE IS ALSO A MEMBER OF THE ST. MATTHEW AME CHURCH, AND HAS BEEN FOR EIGHT YEARS. THESE HOUSES HAVE BEEN IN AN UNSAFE CONDITION FOR THAT ENTIRE PERIOD OF TIME. ANYTHING COULD HAPPEN IN THESE HOUSES. THEY ARE BEING USED FOR THE SALE OF DRUGS, AND CHURCH MEMBERS ARE FORCED TO WITNESS THIS TYPE OF DEROGATORY ACTIVITY.

COUNCILMEMBER NOVAK ASKED THE MEMBERS OF ST. MATTHEW AME TO MEET WITH HIM FOLLOWING THE CLOSE OF TONIGHT'S MEETING SO THAT THEY CAN SCHEDULE A MEETING FOR LATER IN THE WEEK.

DARNELL OLDHAM OF 3815 BERWICK THANKED THE THOUSANDS OF CITIZENS WHO HAVE SIGNED PETITIONS TO PLACE THE CITIZENS REVIEW BOARD QUESTION ON THE NOVEMBER GENERAL ELECTION BALLOT.



RUBY & WINSTON FELTON OF 6212 NORBURN WAY, MEMBERS OF ST. MATTHEW AME CHURCH AGREED WITH THE PREVIOUS SPEAKERS REGARDING THE CONDITION OF THE PROPERTIES IN THE 500 BLOCK OF MAPLE ST. THESE ARE UNSAFE AND HAZARDOUS HOUSES. SHE URGED COUNCIL TO SEE THAT THEY ARE APPROPRIATELY CLEANED UP, OR DEMOLISHED.

LLOYD TEETS OF 116 E. ELM ST. CRITICIZED CITY ATTORNEY SMIERKA FOR THE CONTENT OF HIS OPINION REGARDING THE MAYORAL VETO AUTHORITY OVER CITY COUNCIL'S RESOLUTIONS PLACING THE REPEAL OF ORDINANCE #925 ON THE NOVEMBER ELECTION BALLOT.

KELLY PROPER OF 111 E. CAVANAUGH SAID THAT THE CITY DOES NOT NEED AN ORDINANCE DOUBLING TRAFFIC FINES IN SCHOOL/CONSTRUCTION ZONES, THIS IS PROVIDED FOR BY STATE LAW. WHAT THEY DO NEED IS AN ORDINANCE ALLOCATING THE FUNDS FROM THESE FINES TO EDUCATION.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SPOKE REGARDING THE INJUSTICE AND RACISM THAT EXISTS IN THE COURT SYSTEM.

ALEXANDER BOLT OF 1230 REO RD. STATED HIS DISAGREEMENT WITH THE OPINION OF THE CITY ATTORNEY ON THE CHARTER LANGUAGE GOVERNING THE REFERRAL OF ORDINANCES TO THE VOTING PUBLIC AT ELECTION TIME. THE CHARTER MAKES IT VERY CLEAR THAT THIS IS NOT SUBJECT TO MAYORAL VETO.

TOM LAFFERTY OF 1112 W. MICHIGAN SAID THAT THE CITY OF LANSING SOLID WASTE DISPOSAL (RECYCLING) PROGRAM NEEDS RENOVATION.

REX GILLETTE OF 1818 S. WASHINGTON SAID THAT ON SUNDAY, AUGUST 17, 1997, HE WILL HAVE A BIRTHDAY PARTY IN FRANCES PARK. MEAT WILL BE PROVIDED AND ANYONE WHO WISHES TO ATTEND SHOULD BRING A DISH TO PASS.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. STATED HIS CANDIDACY FOR THE 4TH WARD CITY COUNCIL SEAT. HE CRITICIZED THE STATE JOURNAL FOR NOT PUBLISHING HIS PICTURE IN THE PROFILE THEY DID ON THE CANDIDATES.

CARL HUMPHREY OF 524 S. CHESTNUT TOOK EXCEPTION TO COMMENTS MADE ABOUT MAYOR HOLLISTER NOT SUPPORTING THE RESCUE MISSIONS IN LANSING. MAYOR HOLLISTER HAS BEEN THE CHAIR OF THE COMMITTEE FOR MENTAL HEALTH. HE HAS BEEN A CHAMPION OF THE POOR AND HOMELESS OF MICHIGAN. HE SAID THAT HE IS STARTING A 901-C.3 BUSINESS, "FRIENDS OF HOMELESS PEOPLE". THERE WILL BE A STATE-WIDE 800 NUMBER THAT PEOPLE CAN CALL FOR REFERRAL TO HOMELESS SHELTERS. THE COMPANY WILL THEN MAKE THE CALL TO THE SHELTER FOR PLACEMENT FOR THEM.

ALBERTA JORDAN, NO ADDRESS GIVEN, THANKED THE CHURCHES AND COMMUNITY AS A WHOLE. SHE THANKED THE CIRCULATORS OF THE CITIZENS REVIEW BOARD PETITIONS.

ALEX KRUZEL OF 1027 SEYMOUR SAID THAT HE IS A MEMBER OF THE ST. MATTHEW AME CHURCH. THE PROPERTIES THEY ARE COMPLAINING ABOUT ARE ALL OWNED BY THE SAME SLUM LANDLORD. THIS PERSON HAS SEVERAL PROPERTIES THAT ARE ALL IN THE DEMOLITION PROCESS. ONE OF THEM IS SITTING IN THE CITY ATTORNEY'S OFFICE AND NEEDS TO BE MOVED ALONG.

MICHAEL J. SIMON OF 310 SEYMOUR STATED HIS EXCITEMENT OVER THE WORLD CLASS CITY THAT LANSING IS BECOMING. HE IS PARTICULARLY EXCITED ABOUT THE NEW BUILDING ACROSS THE STREET FROM SPARROW HOSPITAL.

KAY CARTER OF 402 CARRIER ST. COMMENTED REGARDING THE RESIDENTS IN LANSING WHO ARE NOW ATTEMPTING TO BE REDISTRICTED BACK INTO LANSING TOWNSHIP.

ED SIMMER OF 2609 DIER CRITICIZED TWO OF THE CANDIDATES SEEKING CITY ELECTIVE OFFICE.

HELEN FISER OF 12100 S. CORK, IN MORRICE, MI, WARNED MAYOR HOLLISTER NOT TO VETO THE RESOLUTION, PASSED TONIGHT, PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #431 REPORT OF COMMITTEE

BY THE COMMITTEE ON PUBLIC SAFETY, TO WHOM WAS REFERRED THE SUBJECT OF A STATE STATUE THAT ENABLES TRAFFIC FINES TO BE DOUBLED FOR WORK AND SCHOOL ZONES WITH A REQUEST THAT THE CITY OF LANSING ENACT THIS MEASURE.

REPORTS AS FOLLOWS: THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE MATTER. AFTER DELIBERATION ON THE ISSUE, THE COMMITTEE REQUESTS THE CITY ATTORNEY'S OFFICE TO PREPARE A MUNICIPAL ORDINANCE TO DOUBLE FINES AT ALL SCHOOL AND CONSTRUCTION ZONES. (SUCH A PROVISION ALREADY EXISTS IN STATE LAW.)

FURTHERMORE, THE COMMITTEE ON PUBLIC SAFETY REQUESTS THAT THE ADMINISTRATION PREPARE A PUBLIC INFORMATION CAMPAIGN TO NOTIFY THE COMMUNITY OF THE DOUBLED TRAFFIC FINES FOR WORKING AND SCHOOL ZONES AND ALSO PLACE SIGNS INDICATING THAT THE AREA IS A "SCHOOL ZONE" WHERE VIOLATORS WILL BE FINED DOUBLE FOR TRAFFIC VIOLATIONS.

SIGNED: SANDY ALLEN  
TONY BENAVIDES  
PAUL NOVAK

BY COUNCILMEMBER ALLEN:

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY



RESOLUTION #433  
REPORT OF COMMITTEE  
BY THE COMMITTEE ON WAYS AND MEANS.

TO WHOM WAS REFERRED: THE REQUEST TO AMEND CHAPTER 888, SECTION 888.11, P.I.L.O.T. SILVERSTONE (FORMERLY REFERRED TO AS SMOKE RISE) LIMITED DIVIDEND HOUSING ASSOCIATION, FOR THE PURPOSE OF ADDING SECTION 888.11 TO THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN FOR THE PURPOSE OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES (P.I.L.O.T) FOR A PROJECT KNOWN AS SILVERSTONE LIMITED DIVIDEND HOUSING ASSOCIATION.

REPORTS AS FOLLOWS: THE COMMITTEE ON WAYS AND MEANS VOTED UNANIMOUSLY TO DENY THIS REQUEST. THE COMMITTEE RECOMMENDS THAT THIS REPORT BE RECEIVED.

SIGNED

BY COUNCILMEMBER JONES:

THAT THE REPORT OF THE COMMITTEE BE ADOPTED

CARRIED UNANIMOUSLY

#### CITY OFFICERS & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

HEALTH CLUB: FITNESS USA

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE CITY CLERK SUBMITTING MAYORAL VETO OF RESOLUTION #398, ADOPTED BY THE CITY COUNCIL ON MONDAY, JULY 21, 1997

REFERRED TO THE COMMITTEE OF THE WHOLE

4. LETTER FROM COUNCILMEMBER ALLEN TO THE TRANSPORTATION DEPARTMENT REQUESTING THE CONSIDERATION OF THE TRAFFIC BOARD FOR A REQUEST FOR INSTALLATION OF A STOP SIGN AT THE CORNER OF FOREST AND GREENLAWN

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

5. SUMMARY REPORT ON THE FIRST ANNUAL POLICE AND COMMUNITY RELATIONS CONFERENCE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. LETTERS FROM THE MAYOR RE:

A. APPROPRIATION OF COMMUNITY USE FUNDS FOR THE CAPITAL AREA UNITED WAY

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. APPOINTMENT OF ANN BRAZEAU TO THE ECONOMIC DEVELOPMENT CORPORATION/TAX INCREMENT FINANCE AUTHORITY BOARD OF TRUSTEES FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

C. APPOINTMENT OF DAVID ANDERSON TO THE HISTORIC DISTRICT COMMISSION FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

D. TRANSFER OF FUNDS: LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

#### COMMUNICATIONS AND PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTERS FROM THE MICHIGAN MUNICIPAL LEAGUE RE:

- THEIR 99TH ANNUAL CONVENTION ON SEPTEMBER 24, 1997 IN MUSKEGON
- SECOND NOTICE ON MEMBERSHIP FEES FOR MAY 1, 1997 THROUGH APRIL 30, 1998

REFERRED TO THE MAYOR AND THE FINANCE DEPARTMENT

2. SLU-09-97, FRANDORSON PROPERTIES LOCATED AT THE SE CORNER OF E. SAGINAW AND CLIPPERT ST., SPECIAL LAND USE REQUEST TO ALLOW FOR THE GRADING AND CONSTRUCTION OF BUILDINGS, UTILITIES AND NEW PAVEMENT WITHIN THE 100 YEAR FLOOD PLAIN OF THE RED CEDAR RIVER FILED BY LANSING RETAIL CENTER JOINT VENTURE

REFERRED TO THE MAYOR AND THE PLANNING BOARD

3. STORMWATER ENTERPRISE FEE APPEAL FROM BERNITA B. BERRYHILL OF 322 CARRIER ST.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

4. LETTER OF COMPLAINT FROM MARIA VALDEZ OF 531



ASH ST. REGARDING THE BEHAVIOR OF A REPRESENTATIVE OF THE CITY OF LANSING HUMAN RELATIONS DEPARTMENT AT THE FIESTA DEL VERANO

REFERRED TO THE MAYOR

5. LETTER OF COMPLAINT FROM THE N. LANSING COMMUNITY ASSOCIATION REGARDING THE OLD TOWN REVITALIZATION COMMITTEE AND THE PROPOSED DEVELOPMENT OF THE ESTES WAREHOUSE PROPERTY

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING, THE MAYOR AND THE PLANNING DEPARTMENT

6. PAUL GRESCAWLE IN SUPPORT OF EXPANSION OF THE MICHIGAN AVE. STREET SCAPE PROGRAM

REFERRED TO THE MAYOR

7. LETTER FROM DARRYL BURGESS OF 1407 PROSPECT REGARDING THE OPENING OF THE CIVIC CENTER TIME CAPSULE

REFERRED TO THE COMMITTEE OF THE WHOLE

8. MICHIGAN TAX TRIBUNAL APPEALS FILED BY EYDE CONSTRUCTION CO.

REFERRED TO THE CITY ATTORNEY

9. LETTERS FROM CHRISTINE TIMMON OF 335 E. ST. JOSEPH RE:

- CSO MEETING WITH CONSULTANTS CAMP DRESSER & MCKEE
- STORMWATER ENTERPRISE FUND

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BAUER THANKED RUSSELL SMITH FOR DOING THE TIME-KEEPING TONIGHT FOR THE LENGTH OF THIS ENTIRE MEETING.

COUNCILMEMBER JONES THANKED DIXIE GILMORE FOR THE THANK-YOU NOTE COUNCILMEMBERS RECEIVED FROM HER. HE COMPLIMENTED HER ON HER SPEEDY RECOVERY AND LOOKS FORWARD TO SEEING HER COME BACK IN AUGUST.

COUNCILMEMBER LEEMAN SAID THAT THE PERSONAL ATTACKS BY AUDIENCE MEMBERS UPON COUNCILMEMBERS AND CITY EMPLOYEES GROW WORSE AND WORSE ALL OF THE TIME AND SHOULD BE PREVENTED.

COUNCILMEMBER BEAL ANNOUNCED THAT THE DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT, R. ERIC REICKEL HAS CONFIDED TO HER THAT HUNTER POOL HAS BEEN CLOSED BECAUSE OF VANDALISM. PEOPLE HAVE BROKEN INTO THE POOL AT NIGHT AND THROWN LARGE TRASH

CONTAINERS AND HUMAN WASTE INTO THE POOL. COUNCILMEMBER BEAL APPEALED TO THE RESIDENTS IN THE HUNTER PARK NEIGHBORHOOD TO COME FORWARD, IF THEY HAVE ANY IDEA OF WHO THE RESPONSIBLE PARTIES MIGHT BE, AND CALL THE POLICE. SHE REPORTED HAVING AN ACCIDENT WHILE RIDING HER BICYCLE. THANKFULLY, SHE WAS WEARING HER BIKE HELMET. SHE ASKED COUNCILMEMBER ALLEN WHEN THEY MIGHT BE ABLE TO RE-VISIT THE ISSUE OF THE BIKE HELMET ORDINANCE THAT WAS INTRODUCED LAST YEAR.

COUNCILMEMBER ALLEN RESPONDED THAT SHE, TOO, WOULD LIKE TO RE-VISIT THE HELMET ORDINANCE, HOWEVER SHE IS CONCERNED THAT IF THAT PARTICULAR ORDINANCE IS PASSED, THERE WOULD BE MANY KIDS WHO MAY NOT BE ABLE TO RIDE THEIR BICYCLES BECAUSE FOR ONE REASON OR ANOTHER THEY CANNOT GET A HELMET. UNTIL THIS PROBLEM HAS BEEN TAKEN CARE OF, SHE CANNOT SUPPORT THE ORDINANCE.

COUNCILMEMBER JONES REPORTED SEEING A YOUNGSTER WHO GOT A BIKE FROM THE FABULOUS ACRES NEIGHBORHOOD ORGANIZATION RIDING HIS BIKE WITHOUT A BICYCLE HELMET ON, AND CAUTIONED HIM THAT THE NEIGHBORHOOD ORGANIZATION MIGHT NOT GET ANY MORE BICYCLES, IF HE WAS SEEN WITHOUT WEARING HIS HELMET AGAIN. SINCE THEN HE HAS WORN HIS HELMET WHENEVER HE RIDES HIS BIKE.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER ANNOUNCED THAT NEXT TUESDAY, AUGUST 5, 1997, IS NATIONAL NIGHT OUT AGAINST CRIME. HE URGED EVERYONE TO GET OUTSIDE THEIR HOMES ON THIS EVENING, WHICH ALSO HAPPENS TO BE ELECTION NIGHT, AND GET TO KNOW THEIR NEIGHBORS. HE ANNOUNCED THAT BOY AND GIRLS SCOUTS FROM DIFFERENT COUNTRIES ARE VISITING LANSING THIS WEEK. REGARDING THE MAYOR'S VETO OF THE STORMWATER ENTERPRISE FUND ORDINANCE, THIS IS A VERY COMPLICATED ISSUE, WHICH WE HAVE BEEN DEBATING FOR MANY YEARS. THE REASON THE MAYOR HAS TAKEN THE POSITION THAT HE HAS, IS THAT WE HAVE ENGAGED THE SERVICES OF A NATIONAL CONSULTANT FOR THE REVIEW OF THE STORMWATER ENTERPRISE FUND AND THE COMBINED SEWER OVERFLOW PROJECT, AND MAYOR HOLLISTER FEELS THAT IT IS IMPORTANT TO LOOK AT ALL OF THE PARTS OF THE STUDY WITH THE CONSULTANT, PRIOR TO SELECTING ANOTHER FUNDING METHOD.

**ADJOURNED 11:15 P.M.**

**MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF AUGUST 4, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER JONES; A RESOLUTION AUTHORIZING RETENTION OF OUTSIDE LEGAL COUNCIL FOR THE INVESTIGATION OF THE MELLING FORGE TEAR GAS INCIDENT
2. FROM COUNCILMEMBER JONES; A RESOLUTION OF TRANSFER OF FUNDS FOR THE FIRM RETAINED TO INVESTIGATE THE MELLING FORGE TEAR GAS INCIDENT
3. FROM COUNCILMEMBER JONES; A LETTER FROM MARY JO KEREKES REQUESTING ASSISTANCE WITH THE BASEBALL ACTIVITIES AT GIER PARK
4. FROM COUNCILMEMBER ALLEN; A LETTER FROM BRIAN MOORE REQUESTING THE INSTALLATION OF A STOP SIGN IN MARSCOTT MEADOWS SUBDIVISION
5. FROM COUNCILMEMBER ALLEN; A LETTER REQUESTING THAT THE PROPERTY LOCATED BEHIND 133 OLYMPIA BE MOWED
6. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THOMAS DODD REQUESTING DEVELOPMENT ASSISTANCE WITH BROTHER DODD'S RESTAURANT SANITATION DRAIN FACILITIES ON WAVERLY RD.

CARRIED UNANIMOUSLY  
(LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES ANNOUNCED THAT HE IS AWARE THAT THE DISTRICT LIBRARY MILLAGE WILL BE A HARDSHIP FOR PEOPLE WHO ARE ON FIXED INCOMES. HOWEVER, ONE WAY THEY CAN ECONOMIZE IS TO CANCEL THEIR SUBSCRIPTIONS.

COUNCILMEMBER ALLEN ANNOUNCED A JOINT MEETING OF THE PUBLIC SAFETY COMMITTEE AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE, TOMORROW MORNING AT 8:30. THE TOPIC FOR DISCUSSION WILL BE THE TRUANCY PROGRAM AND COMMUNITY SAFETY

COUNCILMEMBER BAUER ANNOUNCED THAT THE INTERGOVERNMENTAL RELATIONS COMMITTEE WILL ALSO MEET WITH THE SCHOOL DISTRICT'S INTERGOVERNMENTAL BOARD TOMORROW AT 4:30 TO DISCUSS THE "LATCH-KEY" PROGRAM.

MAYOR HOLLISTER ANNOUNCED THAT PROJECT PARENT AND THE LANSING MALL WILL SPONSOR A "PARENT FAIR" AT THE MALL ON AUGUST 16, 1997. INFORMATION ON PARENTING AND SERVICES WILL BE AVAILABLE. THIS WEEKEND THERE WILL BE A FESTIVAL IN OLD TOWN CELEBRATING IT'S REBUILD. HE URGED EVERYONE TO PARTICIPATE IN NATIONAL NITE OUT TOMORROW EVENING BY TURNING ON THEIR PORCH LIGHTS AND GOING OUT TO BECOME ACQUAINTED WITH THEIR NEIGHBORS. HE ANNOUNCED THE OLDSMOBILE CENTENNIAL BIRTHDAY CELEBRATION AND DETAILED IT'S SCHEDULE OF EVENTS. THERE WILL BE 150 DIFFERENT NEWSPAPERS FROM AROUND THE WORLD IN THE LANSING AREA TO DOCUMENT THE CENTENNIAL CELEBRATION AND CLASSIC OLDSMOBILES WILL BE ON DISPLAY FROM AUGUST 20, 1997 THROUGH AUGUST 23, 1997, PLEASE PARTICIPATE IN THIS HISTORICAL EVENT FOR LANSING.

CITY CLERK, MARILYNN SLADE, ANNOUNCED THAT THE MARCH FOR JUSTICE HAS SUBMITTED PETITIONS FOR A CHARTER AMENDMENT TO ESTABLISH A CITIZENS REVIEW BOARD TO HER OFFICE. THE PETITIONS WERE SUBMITTED THIS MORNING, MONDAY, AUGUST 4, 1997, AND CONTAINED 7,267 SIGNATURES. THE FIRST STEP IN THE CANVASSING OF THE PETITION SIGNATURES WILL BE A MEETING OF THE ELECTION COMMISSION, SCHEDULED FOR THURSDAY, AUGUST 7, 1997, AT 3:00 P.M. IN THE CITY CLERK'S CONFERENCE ROOM ON THE 9TH FLOOR OF CITY HALL. SHE WILL PROCEED WITH THE CANVASSING OF THE PETITION SIGNATURES FOLLOWING THIS MEETING. SHE REMINDED EVERYONE THAT TOMORROW IS THE CITY OF LANSING ODD YEAR PRIMARY ELECTION, WHICH BALLOT WILL INCLUDE THE OFFICES OF; MAYOR, CITY CLERK, TWO (2) AT-LARGE COUNCIL SEATS, THE SECOND WARD COUNCIL SEAT AND FOURTH WARD COUNCIL SEAT. THE POLLS WILL OPEN AT



7:00 A.M. AND VOTERS WILL BE ADMITTED UNTIL 8:00 P.M. POLLS WILL REMAIN OPEN, UNTIL EVERY VOTER WHO WAS PRESENT AT 8:00 P.M. HAS VOTED. VOTERS MAY CALL 483-4133 FOR INFORMATION ABOUT WHERE THEY GO TO VOTE. THE CITY CLERK'S OFFICE WILL BROADCAST ELECTION RESULTS, FOR THE FIRST TIME THIS YEAR, FROM THE LANSING BOARD OF EDUCATION CHANNEL (FOUND AT CHANNEL 21 FOR RESIDENTS WHO HAVE NOT RECEIVED THE CABLE TELEVISION REBUILD AND CHANNEL 40 FOR RESIDENTS WHO HAVE THE REBUILD). THE CITY CLERK IS NOT BEING ALLOWED TO BROADCAST RESULTS FROM CHANNEL 28, THE CITY OF LANSING CABLE STATION. LIVE COVERAGE OF THE RESULTS CAN BE VIEWED ON EITHER CHANNEL 21, OR CHANNEL 40 ACCORDING TO THE CRITERIA DESCRIBED ABOVE. SHE URGED EVERYONE TO GET OUT AND VOTE.

COUNCILMEMBER ALLEN QUESTIONED CITY CLERK SLADE AS TO THE REASON THAT LIVE COVERAGE OF ELECTION RESULTS IS NOT BEING BROADCAST ON THE CITY GOVERNMENT CHANNEL. MS. SLADE EXPLAINED THAT THERE HAS BEEN A DISAGREEMENT WITH REGARD TO THE FORMATTING OF THE ELECTION RESULTS BROADCAST WITH COUNCIL LEADERSHIP, WHO ULTIMATELY DECIDED NOT TO ALLOW THE CITY CLERK'S OFFICE TO UTILIZE CHANNEL 28 AND MAINTAIN AUTONOMY WITH REGARD TO THE CONTENT OF THE BROADCAST. SHE (SLADE), VIEWS THIS AS CENSORSHIP AND REFUSED TO COMPROMISE THE AUTONOMOUS, NON-POLITICAL NATURE OF HER ELECTION RESULTS SHOW.

COUNCIL PRESIDENT BEAL COUNTERED THE CITY CLERK'S COMMENTS, STATING THAT, VICE-PRESIDENT LEEMAN HAD WANTED TO BRING IN A POLITICAL COMMENTATOR TO BE ON THE PROGRAM, AND THIS WAS NOT TO THE CITY CLERK'S APPROVAL. THE CITY CLERK WANTED A FORMER COUNCILMEMBER TO APPEAR ON THE PROGRAM, WHICH WAS OBJECTIONABLE TO CITY COUNCIL. SHE (BEAL), CALLED THE CITY CLERK IN AN EFFORT TO RESOLVE THE SITUATION AND INVITED HER TO ATTEND LAST WEEK'S COMMITTEE OF THE WHOLE MEETING TO DISCUSS THE MATTER, BUT THE CITY CLERK DID NOT FEEL AS IF SHE COULD WORK WITH COUNCIL ON THIS ISSUE.

COUNCILMEMBER ALLEN OBJECTED TO THE FACT THAT ALL COUNCILMEMBERS WERE NOT ALLOWED TO HAVE INPUT INTO THIS SITUATION. THIS IS THE FIRST SHE HAS HEARD OF IT. THIS SHOULD HAVE BEEN PUT TO A VOTE OF ALL COUNCILMEMBERS, BEFORE A UNILATERAL DECISION WAS MADE. THIS IS AN IMPORTANT FUNCTION OF THE CITY GOVERNMENT CABLE CHANNEL.

COUNCILMEMBER LILLY NOTED THAT THE DECISION TO PURSUE THIS COURSE WAS NOT MADE BY THE CITY COUNCIL, IT WAS MADE BY THE VICE-PRESIDENT AS PART OF HIS RESPONSIBILITY FOR COUNCIL STAFF MEMBERS. HOWEVER, IF THE VICE PRESIDENT HAD CONCERNS WITH REGARD TO A MATTER OF PROGRAMMING, HE SHOULD HAVE COME TO THE COUNCIL AND ASKED FOR A MAJORITY VOTE TO BACK UP HIS DECISION. THEY COULD HAVE SAT DOWN WITH THE CITY CLERK AND REQUESTED CHANGES AHEAD OF TIME.

COUNCILMEMBER BAUER STATED HER CONCERN OVER THIS INCIDENT. THE CITY CLERK HAS ALWAYS BEEN IN CHARGE OF ELECTION RESULTS AND REPORTING THEM TO THE PUBLIC. IT IS HER CALL AS TO WHO DOES THE COMMENTARY. IT

SHOULD BE MS. SLADE MAKING THIS DECISION, NOT COUNCIL. ADDITIONALLY, THIS IS A VERY IMPORTANT DECISION THAT WAS MADE WITHOUT THE CONSENT OF THE COUNCIL, AS A WHOLE. THE ANNOUNCEMENT BY THE CITY CLERK TONIGHT IS THE FIRST TIME THAT MANY OF THEM HAVE HEARD ANYTHING ABOUT THIS ISSUE WHICH THEY WERE NOT ALLOWED TO HAVE ANY INPUT INTO IT.

MS. SLADE ANNOUNCED THAT SHE IS, AND ALWAYS HAS BEEN, RECEPTIVE TO CRITICISMS AND SUGGESTIONS ABOUT THE SHOW, HOWEVER, THIS ALL OCCURRED ONE WEEK PRIOR TO THE BROADCAST AT A TIME WHEN SHE AND HER STAFF WERE IN THE MIDDLE OF INTENSIVE PREPARATION FOR THE ELECTION ITSELF. SHE ONLY FOUND OUT ABOUT VICE-PRESIDENT LEEMAN'S PLANS TO RE-PROGRAM THE ELECTION RESULTS COVERAGE THROUGH THE RUMOR MILL. CHANNEL 28 IS NOT THE CITY COUNCIL'S CABLE TELEVISION STATION, IT IS A CITY GOVERNMENT CABLE TELEVISION STATION. VICE-PRESIDENT LEEMAN'S ATTEMPTS TO DIRECT HER ELECTION NIGHT COVERAGE IS CENSORSHIP AND SHE VEHEMENTLY DISAGREES WITH IT.

#### ► SPECIAL CEREMONIES

*COUNCIL PRESIDENT BEAL ANNOUNCED THAT THE ORDER OF SPECIAL CEREMONIES, AS LISTED ON THE AGENDA WILL BE REVERSED, IN ORDER TO ACCOMMODATE A REQUEST BY FIRE CHIEF MARTIN.*

A. FIRE CHIEF, GREG MARTIN INTRODUCED SEVEN (7) NEW FIRE FIGHTERS; JOHN LINDSEY, MARK NICHOLSON, ANDREW JOHNSON, JR., JOSE HERNANDEZ, AMANDA THELEN, GINA LEE, CONNIE SUMMER, ANTHONY PHILLIPS AND JAMES HARRINGTON. THE FIRE FIGHTERS THANKED CHIEF MARTIN AND THE CITY FOR OFFERING THEM THIS OPPORTUNITY TO SERVE.

B. MAYOR HOLLISTER PRESENTED A PROCLAMATION DECLARING AUGUST 3-9 AS CLOWN WEEK IN LANSING TO CLOWNS FROM THE CIRCUS CLOWN ALLEY AND SHENNIGANS CLOWN WORLD ORGANIZATIONS. THE CLOWNS INVITED THE MAYOR, CITY COUNCIL, AND AUDIENCE MEMBERS TO POTTER PARK THIS WEEKEND FOR "POTTER PARK DAZE". THE CLOWNS WILL BE PERFORMING AND VISITORS MAY VISIT THEIR GREEN AND WHITE TENT. THEY PRESENTED MAYOR HOLLISTER WITH AN HONORARY MEMBERSHIP IN CIRCUS CLOWN ALLEY #155 AND GAVE HIM A CLOWN NOSE.

#### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

##### ► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF THE SALE OF PROPERTY BY THE BOARD OF WATER & LIGHT FOR PROPERTY LOCATED AT 4323 W. SAGINAW ST., DELTA TOWNSHIP, EATON COUNTY, MI

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF PUBLIC IMPROVEMENT IN THE



FORM OF CURB & GUTTER AND STORM SEWER ON PAULSON ST., SPECIAL ASSESSMENT ROLL #338

RODNEY JONES 522 E. PAULSON, ON BEHALF OF HIS PARENTS WHO LIVE AT 522 E. PAULSON, SPOKE IN OPPOSITION TO THIS PUBLIC IMPROVEMENT AND SPECIAL ASSESSMENT. HE ACCUSED COUNCILMEMBER LEEMAN OF DISSEMINATING FALSE INFORMATION REGARDING THIS PROJECT TO THE RESIDENTS IN THIS NEIGHBORHOOD. HE REQUESTED THAT THIS PROJECT BE REVIEWED. HE SUBMITTED A LETTER FROM ONE OF THE RESIDENTS WHO SIGNED THE PETITION FOR PUBLIC IMPROVEMENT THAT WOULD NOW LIKE TO HAVE HIS NAME REMOVED FROM THE PETITION BECAUSE OF THE MISINFORMATION HE RECEIVED.

JOHN WOLF OF 1011 MORRIS AVE. SAID THAT HE OWNS 4 LOTS ON PAULSON ST. AND DOES NOT SUPPORT THIS PUBLIC IMPROVEMENT. HE REPORTED TURNING IN PETITIONS SIGNED BY 10 PEOPLE WHO PREVIOUSLY SUPPORTED THESE IMPROVEMENTS WHO WISH TO WITHDRAW THEIR SUPPORT.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3. IN CONSIDERATION OF Z-10-97; 516 TISDALE; PETITION FOR REZONING FROM "B" RESIDENTIAL TO "J" PARKING DISTRICT FILED BY ART BARYAMES TO DEVELOP ADDITIONAL EMPLOYEE PARKING FOR THEIR ADJACENT FACILITY

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. IN CONSIDERATION OF Z-11-97; 615 & 617 E. MICHIGAN AVE. PETITION FOR REZONING FROM "H" LT. INDUSTRIAL TO "G-1" BUSINESS DISTRICT FILED BY WILLIAM NAKFOOR TO ALLOW THE FIRST FLOOR APARTMENTS TO BE LEASED FOR RETAIL USE AND FOR THE DEVELOPMENT OF RESIDENTIAL APARTMENTS ON THE SECOND FLOOR

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

DONALD GEPHART OF 230 S. MAGNOLIA SAID THAT THE SUBMISSION OF LANGUAGE FOR THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE DOES NOT SEEM TO BE IN THE PURVIEW OF THE CITY COUNCIL ACCORDING TO THE CITY CHARTER.

CAROL WOOD OF 1018 W. LAPEER SAID THAT THE OLD OAKLAND NEIGHBORHOOD ASSOCIATION, THE DOWNTOWN NEIGHBORHOOD ASSOCIATION AND THE OLD TOWN NEIGHBORHOOD ASSOCIATION ARE WILLING TO SUPPORT THE REZONING FOR ARBOR DRUGS AT THE CORNER OF N. MLK AND WILLOW WITH THE PROVISION THAT ARBOR DRUG HONOR THEIR PROMISE NOT TO SELL LIQUOR FROM THIS LOCATION.

SCOTT DECESS OF 710 RANDALL, AN EMPLOYEE OF MELLING DROP FORGE SAID THAT THIS FACTORY IS STILL ON STRIKE. THEY SUPPORT CITY COUNCIL'S RESOLUTION

REGARDING AN INVESTIGATION INTO THE TEAR GAS INCIDENT. THE STRIKERS WERE NOT HAPPY WITH THE REPORT OF THE BOARD OF POLICE COMMISSIONERS ON THIS INCIDENT. LIKEWISE, THEY WERE UNHAPPY WITH MAYOR HOLLISTER'S COMMENTS THAT APPEARED IN THE NEWSPAPER SAYING THAT THE ONLY RECOURSE OPEN TO THE POLICE WAS THE USE OF TEAR GAS CANISTERS. HE URGED COUNCIL NOT TO FORGET THE STRIKING EMPLOYEES OF MELLING DROP FORGE.

TERRY MARRIS SAID THAT HE IS HAPPY THAT THE CITY COUNCIL WILL PURSUE THE TEAR GAS INCIDENT AT MELLING DROP FORGE. HE IS NOT HERE TO CRITICIZE THE POLICE, NOR THE CITY COUNCIL, HE JUST WANTS COUNCIL TO PURSUE THE TRUTH IN THIS MATTER. HE CRITICIZED THE INTERPRETATION THAT THE POLICE DEPARTMENT PUT ON HIS ACCOUNT OF AN ACCIDENT THAT HE WITNESSED RECENTLY. THE FIGHT BETWEEN MELLING DROP FORGE AND THEIR EMPLOYEES IS OVER HEALTH INSURANCE FOR THEIR RETIREES.

WILLIE WILLIAMS OF 505 W. LENAWEE SAID THAT 70% OF RESIDENTS ARE SATISFIED WITH THE STORM WATER ENTERPRISE FUND ORDINANCE. ONE PLUS ONE EQUALS TWO NOT THREE. ANY ATTEMPTS TO OVERRIDE THE MAYORAL VETO WILL NOT ADD UP BECAUSE THREE COUNCILMEMBERS KNOW THAT ONE PLUS ONE DOES NOT MAKE 30%.

LLOYD TEETS OF 116 E. ELM ST. STATED HIS APPROVAL OF THE CITY COUNCIL'S INVESTIGATION INTO THE MELLING DROP FORGE INCIDENT AND OF THEIR RESOLUTION TO PLACE THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER GENERAL ELECTION BALLOT.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH CRITICIZED COUNCILMEMBERS FOR PLAYING POLITICAL GAMES BY PASSING RESOLUTION TO PLACE THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT. THE CITY HAS HIRED CONSULTANTS TO STUDY THIS ISSUE AND COUNCIL SHOULD WAIT TO SEE WHAT THE RESULTS OF THE STUDY ARE.

KELLY PROPER OF 111 E. CAVANAUGH STATED HER SUPPORT FOR THE RESOLUTION PLACING THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER GENERAL ELECTION BALLOT. SHE VOLUNTEERED TO WORK ON THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE, WHETHER SHE WINS IN THE PRIMARY OR NOT.

CONNIE DELANEY OF 3721 AURELIUS RD. CRITICIZED MAYOR HOLLISTER FOR VETOING RESOLUTIONS PLACING THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER GENERAL ELECTION BALLOT. SHE STATED THAT SHE HAS BEEN FIGHTING HER APPEAL FOR 20 MONTHS. THE PUBLIC SERVICE DEPARTMENT HAS TOLD HER THAT HER SITUATION IS SO UNUSUAL THAT THEY ARE SAVING HER APPEAL FOR LAST. SHE STATED THAT SHE HAS BEEN HARASSED BY SOMEONE REPRESENTING THEMSELVES TO BE FROM LPD. SHE IS TAKING THIS TO COURT. SHE URGED THE PUBLIC TO VOTE FOR COUNCIL REPRESENTATIVES THAT OPPOSE THE STORM WATER ENTERPRISE FUND ORDINANCE.

ALEX BOLT OF 1230 REO RD. SAID THAT HE DOES NOT BELIEVE THAT THE MAYOR HAS THE POWER TO VETO THE



COUNCIL'S RESOLUTIONS PLACING LANGUAGE FOR THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER GENERAL ELECTION BALLOT. WHAT THIS AMOUNTS TOO, IS THAT RIGHT NOW, WE HAVE MINORITY RULE ON CITY COUNCIL. HE SUBMITTED A INITIATIVE PETITION FOR THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE TO THE CITY ATTORNEY FOR HIS APPROVAL.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. SAID THAT ANYONE WHO ABRIDGES HER RIGHT TO VOTE IS TAKING A SUPREME AND IMPORTANT RIGHT AWAY FROM HER. GENERAL MOTORS SHOULD NOT BE PART OF THE DISCUSSION ON THE STORM WATER ENTERPRISE FUND ORDINANCE AT ALL.

MAYOR HOLLISTER SPOKE REGARDING THE RESOLUTION PLACING THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER ELECTION BALLOT. THIS IS SIMILAR LEGISLATION TO PRIOR RESOLUTIONS THAT HE HAS VETOED. THE CITY CHARTER PROVIDES FURTHER ACTION FOR REMEDIATION OF THIS TYPE OF ISSUE. COUNCILMEMBER NOVAK HAS DESCRIBED 5 CHANGES TO THESE RESOLUTION THAT WOULD ALLOW HIM TO SUPPORT THEM AND SUSTAIN A MAYORAL OVERRIDE. THERE ARE WAYS FOR COUNCIL TO REACH A CONSENSUS AND PUT THIS ISSUE ON THE BALLOT, IF THAT IS WHAT THEY REALLY WANT TO DO. IF COUNCIL QUESTIONS THE VERACITY OF HIS VETO POWER, THE CITY ATTORNEY HAS PROVIDED A WRITTEN OPINION ON THIS SUBJECT TODAY. IT IS MISREPRESENTATIVE OF THEM TONIGHT TO SAY THAT HE (THE MAYOR) IS AGAINST THE PEOPLES RIGHT TO VOTE ON THIS REPEAL. IF THE COUNCIL SEEKS A CONSENSUS, IT IS POSSIBLE TO ACHIEVE ONE, BUT PLACING THE SAME RESOLUTION ON THE AGENDA TIME AFTER TIME WILL NOT REACH THAT END. SIX MEMBERS OF COUNCIL CAN OVERRIDE A MAYORAL VETO. HOWEVER HE WOULD NOT VETO THIS TYPE OF RESOLUTION IF COUNCIL INCLUDED LANGUAGE FOR AN ALTERNATE FUNDING METHOD.

COUNCIL PRESIDENT BEAL STATED; "IN THIS CASE, CONSISTENCY IS NOT THE HOBGOBLIN OF LITTLE MINDS. THEY ARE GOING TO PUT THIS ISSUE IN FRONT OF THE COURTS FOR A JUDGE TO DECIDE WHETHER THE MAYOR OF LANSING HAS COMPLETE AND ULTIMATE VETO POWER OVER EVERYTHING THAT THE COUNCIL DOES.

COUNCILMEMBER LILLY RAISED A POINT OF ORDER, AND REMINDED COUNCIL PRESIDENT BEAL THAT THIS ISSUE IS THE NEXT ITEM OF BUSINESS UNDER LEGISLATIVE MATTERS, AND IS MORE PROPERLY DISCUSSED BY COUNCILMEMBERS AFTER IT HAS BEEN INTRODUCED FOR CONSIDERATION.

#### **LEGISLATIVE MATTERS RESOLUTIONS**

##### **RESOLUTION #434**

BY COUNCILMEMBERS BEAL, JONES, AND LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, COUNCILMEMBERS ELLEN BEAL, HOWARD JONES, AND RICK LILLY MOVE THAT THE CITY CLERK IS DIRECTED TO SUBMIT THE FOLLOWING PROPOSAL FOR THE REPEAL OF ORDINANCE NO. 925 TO THE VOTERS FOR CONSIDERATION BY THE ELECTORATE ON THE BALLOT THIS

NOVEMBER 4, 1997:

ON OCTOBER 9, 1995, THE LANSING CITY COUNCIL VOTED AND APPROVED ORDINANCE NO. 925, ENTITLED THE "STORMWATER ENTERPRISE FUND, (FUND)", AS A MEANS TO DEFRAY THE COST: OF THE ADMINISTRATION, OPERATION, MAINTENANCE, AND CONSTRUCTION OF THE STORMWATER SYSTEM AND TO PROVIDE A METHOD FOR THE CALCULATION OF FEES TO BE CHARGED TO SUPPORT SUCH A FUND.

SHALL THE CITY OF LANSING ORDINANCE NO. 925, ENACTED ON OCTOBER 9, 1995, BE REPEALED, EFFECTIVE DECEMBER 1, 1997.

YES \_\_\_\_\_ NO \_\_\_\_\_

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

##### **RESOLUTION #435**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, AUGUST 25, 1997, AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF OPPOSING AND/OR APPROVING THE PROPOSED SPECIAL LAND USE PERMIT SLU-3-97, AT 402 S. WASHINGTON BY SPIRIT LIFE MINISTRIES FOR A CHURCH.

ADOPTED BY THE FOLLOWING VOTE:-

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

##### **RESOLUTION #436**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, AUGUST 25, 1997, AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF OPPOSING AND/OR APPROVING THE PROPOSED SPECIAL LAND USE PERMIT SLU-4-97, BY PASTOR NATHANIEL WHITT, 625 W. SHERIDAN ROAD, FOR A PARKING LOT IN THE "A" RESIDENTIAL DISTRICT.

ADOPTED BY THE FOLLOWING VOTE:



YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

**RESOLUTION #437**

BY THE DEVELOPMENT AND PLANNING COMMITTEE

SLU-2-97

725 EAST SAGINAW STREET

180 RESIDENTIAL UNITS IN THE "I" HEAVY INDUSTRIAL DISTRICT

WHEREAS, HARRY HEPLER, ON BEHALF OF PRUDDEN INVESTMENT, L.L.C., HAS REQUESTED A SPECIAL LAND USE PERMIT TO DEVELOP UP TO 180 RESIDENTIAL DWELLING UNITS AS A PART OF A MIXED USE DEVELOPMENT IN THE INDUSTRIAL BUILDING FORMERLY KNOWN AS PRUDDEN WHEEL AT 725 EAST SAGINAW STREET WHICH IS ZONED "I" HEAVY INDUSTRIAL DISTRICT, AND

WHEREAS, SECTION 1276.040) OF THE ZONING CODE ALLOWS RESIDENTIAL USES ON PROPERTY ZONED "I" HEAVY INDUSTRIAL DISTRICT AS A SPECIAL LAND USE IF AUTHORIZED BY THE CITY COUNCIL IN ACCORDANCE WITH CHAPTER 1282 OF THE ZONING CODE, AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING ON THIS REQUEST ON MAY 6, 1997 AT WHICH TIME TWO AREA RESIDENTS SPOKE ASKING INFORMATIONAL QUESTIONS AND EXPRESSING CONCERNS OVER TRAFFIC AND A LETTER WAS READ FROM HAROLD KING EXPRESSING CONCERNS ABOUT THE DEVELOPMENT, AND

WHEREAS, THE APPLICANT CONDUCTED A TOUR OF THE BUILDING FOR INTERESTED PARTIES AND PLANNING BOARD MEMBERS, AND

WHEREAS, AT THEIR MEETING OF JUNE 3, 1997 TWO AREA RESIDENTS SPOKE WITH CONCERNS ABOUT THE DEVELOPMENT AND THE APPLICANT SPOKE REPRESENTING THE CASE AND ANSWERING QUESTIONS, AND

WHEREAS, THE PLANNING BOARD HAS REVIEWED THE PETITION, AND ON JUNE 3, 1997 UNANIMOUSLY (6-0) RECOMMENDED APPROVAL OF THE PETITION WITH A CONDITION, AND THE APPROVED MINUTES OF SAID PLANNING BOARD MEETING ARE ON FILE IN THE CITY CLERK'S OFFICE, AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON PRUDDEN WHEEL, L.L.C.'S REQUEST FOR A SPECIAL LAND USE PERMIT ON JULY 21, 1997, AND

WHEREAS, THE COUNCIL COMMITTEE ON DEVELOPMENT AND PLANNING HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH,

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVES THE SPECIAL LAND USE PERMIT REQUEST BY PRUDDEN WHEEL, L.L.C. TO DEVELOP UP TO 180 RESIDENTIAL DWELLING UNITS AS A PART OF A MIXED

USE DEVELOPMENT WITHIN THE INDUSTRIAL BUILDING FORMERLY KNOWN AS PRUDDEN WHEEL AT 725 EAST SAGINAW STREET WITH THE CONDITION THAT PARKING BE SO DESIGNED IN THE SITE PLANNING AND PERMIT REVIEW PROCESS TO ASSURE SAFETY FOR THE RESIDENTS AVOIDING PEDESTRIAN CONFLICT WITH THE ACTIVE RAILROAD TRACKS ADJACENT TO THE BUILDING

BE IT FURTHER RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

THE PROPOSED SPECIAL LAND USE IS HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND SURROUNDING USES. THE USE OF THE STRUCTURE FOR RESIDENTIAL, AS WELL AS OFFICE, COMMERCIAL, AND INDUSTRIAL WILL NOT HAVE A NEGATIVE EFFECT ON ADJACENT PROPERTIES.

THE PROPOSED SPECIAL LAND USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY.

THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTIES.

THE PROPOSED SPECIAL LAND USE WILL NOT BE HAZARDOUS TO ADJACENT PROPERTIES.

THE PROPOSED SPECIAL LAND USE WILL NOT PLACE ANY DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITIES.

THE PROPOSED SPECIAL LAND USE IS CONSISTENT WITH THE INTENT OF THE ZONING CODE AND OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #438**

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

SLU-11-95 (AMENDMENT)

3016 RISDALE AVENUE

ADDITION TO EXISTING ADULT FOSTER CARE FACILITY

WHEREAS, ON MARCH 18, 1996 BY RESOLUTION #116, THE CITY GRANTED A SPECIAL LAND USE PERMIT (SLU-11-95), WITH CONDITIONS, TO THE OWNER OF 3016 RISDALE AVENUE, LANSING, TO INCREASE THE CAPACITY OF A STATE-LICENSED ADULT FOSTER CARE FACILITY FROM NINE TO TWELVE PERSONS; AND

WHEREAS, CONDITION #1 OF SAID RESOLUTION #116 OF 1996 PROVIDES THAT ON COMPLETION AND FINAL BUILDING OFFICE APPROVAL OF THE ADDITION TO THE HOUSE AT 3016 RISDALE, THE MAXIMUM NUMBER OF BEDROOMS IN THE STRUCTURE BE TWELVE; AND

WHEREAS, THE INTENT OF RESOLUTION #116 OF 1996 WAS TO SPECIFY THE MAXIMUM NUMBER OF BEDROOMS AVAILABLE FOR OCCUPANCY FOR STATE-LICENSED ADULT FOSTER CARE PERSONS; AND



WHEREAS, SAID RESOLUTION MAY BE AMENDED TO CLARIFY CONDITION #1 WITH ITS OTHER CONDITIONS REMAINING IN EFFECT;

NOW, THEREFORE, BE IT RESOLVED CONDITION #1 OF RESOLUTION #116 OF 1996 GRANTING SLU-11-95 ON CONDITIONS IS AMENDED TO STATE AS FOLLOWS:

- 1. COMPLETION AND FINAL BUILDING OFFICE APPROVAL OF ADDITION TO THE HOUSE AT 3016 RISDALE TO PROVIDE A MAXIMUM OF 12 BEDROOMS IN THE STRUCTURE FOR STATE LICENSED ADULT FOSTER CARE FACILITY PERSONS.

BE IT FINALLY RESOLVED THAT ALL OTHER CONDITIONS AS STATED IN RESOLUTION #116 OF 1996 SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #439

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT I

WHEREAS, THE PUBLIC SERVICE DEPARTMENT HAS ESTABLISHED THE NEED FOR CONSTRUCTION OF CURB AND GUTTER AND THE NECESSARY STORM SEWER FACILITIES FOR FIRESIDE DRIVE FROM STONELEIGH DRIVE TO LEAWOOD DRIVE ACCORDING TO THE PETITION (ON FILE IN THE CITY CLERK'S OFFICE) SIGNED BY 53% OF THE BENEFITTED OWNERS AND BY 52% OF THE BENEFITTED FRONTAGE LOTS; AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT THIS PROPOSED PUBLIC IMPROVEMENT WILL BENEFIT ESPECIALLY PROPERTIES IN THE VICINITY OF THE WORK TO BE DONE AND THAT A BENEFIT DISTRICT PURSUANT TO CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES SHOULD BE ESTABLISHED TO BE SPECIALLY ASSESSED FOR THE PUBLIC IMPROVEMENT;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY DETERMINES IT TO BE OF A PUBLIC NECESSITY TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS: CONSTRUCT CURB AND GUTTER AND THE NECESSARY STORM SEWER FACILITIES IN FIRESIDE DRIVE FROM STONELEIGH DRIVE TO LEAWOOD DRIVE.

BE IT FURTHER RESOLVED THAT THE COST OF THESE IMPROVEMENTS IS TO BE FINANCED BY SPECIAL ASSESSMENTS TO THE BENEFITTED PROPERTY OWNERS, AND THAT THE CITY'S PUBLIC SHARE OF THE PROJECT SHALL BE PAID FROM THE FY98 STREET IMPROVEMENT FUND.

BE IT FINALLY RESOLVED THAT THE DEPARTMENT OF PUBLIC SERVICE IS HEREBY AUTHORIZED TO PREPARE NECESSARY PLANS AND SPECIFICATIONS FOR THESE IMPROVEMENTS, OBTAIN THE NECESSARY EASEMENTS FOR CONSTRUCTION, AND TO DETERMINE THE COST OF SAID

PROJECT IN SUFFICIENT DETAIL TO ESTABLISH THE SPECIAL ASSESSMENT DISTRICT AND THE APPLICABLE ASSESSMENT TO THE PROPERTIES IN THE DISTRICT, AND TO FURNISH SAID INFORMATION TO THE MAYOR AND CITY COUNCIL.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1

BY COUNCILMEMBER LEEMAN

TO RECONSIDER THE VOTE ON THIS ITEM

CARRIED UNANIMOUSLY

DISCUSSION FOLLOWED IN WHICH COUNCILMEMBER ALLEN CLARIFIED CERTAIN POINTS WITH COUNCILMEMBER LEEMAN

BY COUNCILMEMBER LEEMAN

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

CARRIED UNANIMOUSLY

THIS RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LEEMAN

BY COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

#### PUBLIC IMPROVEMENT IV

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JUNE 9, 1997, THE CITY ASSESSOR HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLL NUMBER 332 FOR CURB AND GUTTER, AND STORM SEWER, AS FOLLOWS:

#### PROJECT TITLE:

DORIS STREET RECONSTRUCTION P.S. #76034.- SCHAFFER ROAD TO HILLIARD ROAD.

#### PROPERTY BENEFITTED CURB AND GUTTER:

ALL LANDS FRONTING ON DORIS STREET.

#### PROPERTY BENEFITTED STORM SEWER:

ALL LANDS FRONTING ON DORIS STREET.

#### ENGINEERS ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO.332	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$421.29	\$9,529.52
STORM SEWER	\$1,702.23	\$27,956.02
OTHER COSTS	<u>\$31,949.69</u>	<u>\$0.00</u>
TOTAL COSTS	\$34,073.21	\$37,485.54;



WHEREAS, AFTER THE PUBLIC HEARING ON THE ASSESSMENT ROLL, THE PROPOSED PUBLIC IMPROVEMENT WAS RETURNED TO THE PUBLIC SERVICE COMMITTEE BY THE CITY COUNCIL TO CONSIDER MODIFICATIONS OF THE PORTION OF THE PROJECT ASSESSABLE TO THE PROPERTY OWNER FOR THE STORM SEWER COMPONENT; AND

WHEREAS, THE PUBLIC SERVICE COMMITTEE RECOMMENDS THE STORM SEWER COST OF THE PROJECT BE REMOVED FROM THE PORTION TO BE SPECIALLY ASSESSED TO THE PROPERTY OWNERS AND BE PAID FROM IDENTIFIED EXISTING PUBLIC SERVICE DEPARTMENT ACCOUNTS;

NOW THEREFOR BE IT RESOLVED, THAT SPECIAL ASSESSMENT ROLL NUMBER 332 AS RETURNED BY THE CITY ASSESSOR, BE MODIFIED BY SHIFTING THE STORM SEWER COSTS TO BE ASSESSED TO THE PROPERTY OWNERS (\$27,956.02) FROM THEM TO THE CITY AND BE RATIFIED AND CONFIRMED AS MODIFIED, AND THE MAYOR IS AUTHORIZED TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING THE CITY TREASURER TO COLLECT SAID TAX WITHIN 90 DAYS AFTER THE APPROVAL OF THE ASSESSMENT ROLL.

BE IT FURTHER RESOLVED, THAT THE ASSESSABLE COST FOR THE STORM SEWER OF THE PROJECT SHALL BE FUNDED WITH THE CITY SHARE STORM SEWER FUNDS IN THE FOLLOWING ACCOUNTS:

ACCOUNT NUMBER		
CITY SHARE OF C & G	\$421.29	41093369097410043814
CITY SHARE OF STORM SEWER	\$29,658.25	41093369097310013077
CITY SHARE OF OTHER COST	\$31,949.69	41093369097410043814
ASSESSMENT ROLL #332	\$9,529.52	40493360197410012068

BE IT FURTHER RESOLVED, THAT THE CITY COUNCIL WILL WORK WITH THE ADMINISTRATION TO DEVELOP A POLICY REGARDING SPECIAL ASSESSMENTS AND THAT ALL CHANGES RESULTING FROM THIS POLICY BE EFFECTIVE FOR THIS PROJECT.

BE IT FINALLY RESOLVED, THAT THE PUBLIC SERVICE COMMITTEE REQUESTS THAT THE WAYS AND MEANS COMMITTEE IDENTIFY FUNDS TO MAKE THE CITY SHARE OF STORM SEWER FUND WHOLE FOR THE AMOUNT THAT WOULD HAVE BEEN FUNDED BY THE SPECIAL ASSESSMENTS FOR THE STORM SEWER ON THIS PROJECT.

#### RESOLUTION #440

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED GILDA RICHARDSON, 3024 COLCHESTER ROAD, TO THE PUBLIC SERVICE BOARD, FOR A TERM TO EXPIRE JUNE 30, 1999; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF GILDA RICHARDSON TO THE PUBLIC SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1999

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #441

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED EDDIE L. THOMAS, 1520 WEST IONIA STREET, TO THE BOARD OF REVIEW, FOR A TERM TO EXPIRE JUNE, 2000; AND

WHEREAS, THE COMMITTEE OF THE WHOLE HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF EDDIE L. THOMAS TO THE BOARD OF REVIEW FOR A TERM TO EXPIRE JUNE, 2000.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #442

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL IS CONDUCTING AN INVESTIGATION INTO THE LANSING POLICE DEPARTMENT'S USE OF TEAR GAS AT THE MELLING FORGING PLANT ON MAY 29, 1997; AND

WHEREAS, SECTION 3-206.2 AUTHORIZES COUNCIL TO SUBPOENA WITNESSES, ADMINISTER OATHS, TAKE TESTIMONY AND REQUIRE THE PRODUCTION OF EVIDENCE IN ANY MATTER PENDING BEFORE IT;

NOW, THEREFORE BE IT RESOLVED THAT THE ISSUANCE OF SUBPOENAS IN CONNECTION WITH THE MELLING INCIDENT IS HEREBY AUTHORIZED AND THE PRESIDENT OF THE LANSING CITY COUNCIL SHALL SIGN ANY AND ALL SUCH SUBPOENAS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #443

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, CITY COUNCIL HAS OPENED AN INVESTIGATION INTO THE MELLING FORGE INCIDENT OF MAY 29, 1997;



AND

WHEREAS, CITY COUNCIL WISHES TO RETAIN THE SERVICES OF AN INDEPENDENT PRIVATE INVESTIGATOR TO ASSIST ITS INVESTIGATION; AND

WHEREAS, A REQUEST FOR PROPOSALS AND QUALIFICATIONS FOR INVESTIGATIVE SERVICES HAS BEEN ANSWERED; AND

WHEREAS, THE FINANCE COMMITTEE HAS RECOMMENDED THE FIRM OF JOSEPH YOUNG AND ASSOCIATES FROM RESPONSES RECEIVED TO THE REQUEST FOR PROPOSALS,

NOW THEREFORE, BE IT RESOLVED, THAT THE FIRM OF JOSEPH YOUNG AND ASSOCIATES IS RETAINED TO ASSIST CITY COUNCIL IN ITS MELLING FORGE INVESTIGATION, SUBJECT TO A CONTRACT FROM PREPARED BY THE CITY ATTORNEY.

BE IT FURTHER RESOLVED, THAT \$22,000 IS APPROPRIATED AND TRANSFERRED FROM 101-173901-972001-0 ACCOUNT TO 101-112101-743665-0 ACCOUNT FOR THIS PURPOSE.

BE IT FURTHER RESOLVED THAT AN ADDITIONAL \$5,000.00 IS APPROPRIATED FOR MISCELLANEOUS EXPENSES ASSOCIATED WITH THIS INVESTIGATION, SUCH AS SUBPOENAS, TRAVEL EXPENSES, ETC.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #444

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 98 TRANSFER BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$27,000	GENERAL CONTINGENCY 101-173901-992001-0	GEN. ADMIN.-CONTROL 101-173901-992200-0
\$27,000	GEN ADMIN-CONTROL 101-173901-992200-0	CITY COUNCIL-CONTROL 101-112101-992200-0
\$27,000	CITY COUNCIL-CONTROL 101-112101-992200-0	MELLING FORGE INVESTIGATION 101- 112101-743665-0

(FUNDING FOR PROFESSIONAL SERVICES TO SUPPORT INVESTIGATION OF POLICE RESPONSE TO CROWD CONTROL ISSUES AT MELLING DROP FORGE.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-O3-97; SW CORNER OF MARTIN LUTHER KING, JR. BLVD. AND W. WILLOW ST., BE PLACED ON ORDER OF IMMEDIATE PASSAGE

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-O3-97; SW CORNER OF MARTIN LUTHER KING, JR. BLVD. AND W. WILLOW ST., BE NOW PASSED

YEAS: ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

BY COUNCILMEMBER LILLY

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

COUNCILMEMBER NOVAK MADE THE FOLLOWING STATEMENT FOR THE RECORD: HIS AFFIRMATIVE VOTE ON THIS REZONING IS PREDICATED UPON THE FACT THAT ARBOR DRUGS HAS PLACED ON RECORD AN AGREEMENT STATING THAT THEY WILL NOT SELL LIQUOR FROM THIS LOCATION

#### ORDINANCE #2413

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:



SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER:

Z-3-97, 1101 AND 1119 W. WILLOW ST., 1114 AND 1118 THEODORE ST., AND 1201, 1205, 1209 AND 1213 N. MARTIN LUTHER KING JR. BLVD.

PARCEL NUMBER:

PPN's 3301-08-403-051, -061, -071, -081, -091, -101, -111, 132 AND -161

LEGAL DESCRIPTION:

LOTS ONE THRU NINE AND LOTS 14, 15 AND 16, BUNGALOW HOME ADDITION, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

FROM "B" RESIDENTIAL, "F" COMMERCIAL AND "J" PARKING DISTRICTS TO "F" COMMERCIAL DISTRICT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER LILLY

MARILYNN SLADE, CITY CLERK

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY RELATED MATTERS:

DIRK SPILLIMAKER, EMPLOYEE REPRESENTATIVE FOR THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY SAID THAT NOTHING HAS BEEN DONE AT THE LANSING CENTER SINCE THE COUNCIL MADE THEIR RECOMMENDATIONS REGARDING AN INVESTIGATION OF THE CONDITIONS OVER THERE. HE EXPRESSED HIS APPRECIATION TO COUNCILMEMBER BEAL FOR HER CONCERN, HOWEVER, HE WOULD ASK FOR EXPEDITED ACTION. THERE HAVE BEEN A NUMBER OF RECOMMENDATIONS FROM UNION MEMBERS AT THE LANSING CENTER.

COUNCIL PRESIDENT BEAL REQUESTED AN UPDATE AT THURSDAY'S COMMITTEE OF THE WHOLE MEETING REGARDING THIS ISSUE.

LIZA ESTLUND OLSON REPORTED THAT THE HUMAN RELATIONS

DIRECTOR HAS OPINED THAT THE CITY DOES NOT HAVE JURISDICTION OVER THIS AGENCY. SHE PROMISED A DETAILED REPORT ON THE SUBJECT AT THIS THURSDAY'S COMMITTEE OF THE WHOLE MEETING.

BILL BESLEY OF 1433 JEROME READ FROM A PETITION THAT HE WILL CIRCULATE REGARDING THE DETERIORATION OF OLDSMOBILE PARK. HE REQUESTED THAT THE PRACTICE OF SCHEDULING EVENTS OTHER THAN BASEBALL GAMES TO TAKE PLACE ON THE PLAYING FIELD BE DISCONTINUED BECAUSE IT IS RUINING THE PLAYING FIELD. THE CITY HAS 1.5 MILLION PEOPLE COMING INTO THE CITY EVERY YEAR FOR BASEBALL GAMES. THIS RESOURCE IS TOO VALUABLE TO LOSE.

CARL HUMPHREY OF 524 S. CHESTNUT STATED THAT HE WILL FILE A DECLARATION OF INTENT TO RUN FOR OFFICE AS WRITE-IN CANDIDATE IN THE NOVEMBER GENERAL ELECTION.

AMMAHAD SHEKARAKKI OF 902 WILLOW URGED PEOPLE TO GET OUT AND VOTE TOMORROW.

KAY CARTER OF 402 CARRIER ACCUSED MAYOR HOLLISTER OF WANTING COMPLETE CONTROL OF LANSING RESIDENTS.

LEONA SHERWOOD OF 3130 FELT URGED EVERYONE TO GET OUT AND VOTE.

RUSSELL TERRY OF 121 E. MT. HOPE SAID THAT WHEN HE IS ELECTED MAYOR HE WILL MAKE SURE THAT MEMBERS FROM THE MARCH FOR JUSTICE ARE APPOINTED TO THE CITIZENS REVIEW BOARD.

WILLIE WILLIAMS OF 505 W. LENAWEE URGED LANSING RESIDENTS TO "TAKE A FRIEND WITH THEM TO VOTE" DO NOT GO VOTE ALONE, OFFER SOMEONE WHO DOES NOT HAVE TRANSPORTATION A RIDE WITH YOU. THE MAYOR CAN VETO ANYTHING, BUT COUNCIL CAN OVERRIDE HIS VETO BY A MAJORITY VOTE. HE ASKED COUNCILMEMBER LEEMAN TO EXPLAIN WHY HE DOES NOT WANT THE ELECTION RESULTS TO BE BROADCAST ON CHANNEL 28. HE COMMENTED THE POT HOLE HOT LINE FOR THEIR QUICK RESPONSE TO COMPLAINTS ABOUT POT HOLES.

RITA BUNTON OF 3311 BRISBADE THANKED THE 7,267 PEOPLE WHO SIGNED THE CITIZENS REVIEW BOARD PETITIONS. THE MARCH FOR JUSTICE HAS BEEN GRATIFIED BY THE NUMBER OF PEOPLE WHO HAVE OFFERED THEIR SUPPORT FOR THIS PROJECT.

PETER BUNTON OF 3311 BRISBANE CONGRATULATED AND THANKED THE CITIZENS REVIEW BOARD PETITION CIRCULATORS. THIS MOVEMENT HAS DONE SO MUCH GOOD FOR SO MANY PEOPLE.

REVEREND LESTER STONE OF 1603 W. KALAMAZOO THANKED EVERYONE WHO CIRCULATED, SIGNED AND ENDORSED THEIR PETITION DRIVE. THEY HAVE COLLECTED 7,267 SIGNATURES. THEY WILL MEET WITH THE ELECTION COMMISSION THIS WEDNESDAY AT 3:00 TO BEGIN QUALIFYING SIGNATURES. THEY ARE CONFIDENT THAT THIS QUESTION WILL BE PRESENTED TO THE ELECTORS ON THE



NOVEMBER GENERAL ELECTION BALLOT. THE CITIZENS REVIEW BOARD IS GOOD FOR THE CITIZENS OF LANSING AND GOOD FOR THE CITY OF LANSING.

DONALD GEPHART 230 S. MAGNOLIA STATED HIS SUPPORT OF THE STORM WATER ENTERPRISE FUND ORDINANCE.

FRANK CURTIS "X", NO ADDRESS GIVEN, STATED HIS ENDORSEMENTS OF CANDIDATES RUNNING IN TOMORROW'S PRIMARY ELECTION.

LYOYD TEETS OF 116 E. ELM ST. THANKED THE FIVE COUNCILMEMBERS WHO SIGNED THE PETITIONS FOR THE CITIZENS REVIEW BOARD. HE URGED EVERYONE TO GET OUT AND VOTE TOMORROW. HE ANNOUNCED THAT HE WILL BE A WRITE-IN CANDIDATE FOR THE ELECTIVE POSITION OF CITY CLERK.

ALEXANDER BOLT OF 1230 REO RD. OBJECTED TO CITY ATTORNEY SMIERTKA SAYING THAT PLACING LANGUAGE ON THE NOVEMBER ELECTION BALLOT FOR THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE MAY CONSTITUTE A VIOLATION OF THE REVENUE BONDING ACT. THIS CITY HAS MADE IT CLEAR THAT THEY WILL FIGHT THE CITIZENS IN COURT BEFORE PETITIONS HAVE EVEN BEEN CIRCULATED.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT COUNCIL IS MAKING FOOLS OUT OF THE TAXPAYERS AGAIN. SHE URGED RESIDENTS TO VOTE TOMORROW.

TOM SMITH OF 722 N. MLK SAID THAT HE HOPES COUNCIL CONTINUES TO PUSH TO GET THE STORM WATER ENTERPRISE FUND ORDINANCE OUT TO A VOTE OF THE CITIZENS.

MICHAEL J. SIMON, NO ADDRESS GIVEN, SAID THAT HE HAS A PICTURE OF COUNCILMEMBERS BAUER AND BEAL, IN WHICH THEY ARE BOTH SMILING AND NOT FIGHTING.

ED SIMMER OF 2609 DIER THANKED EVERYONE WHO SIGNED THE PETITIONS FOR A CITIZENS REVIEW BOARD.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE SAID THAT SHE HAS A PRINT-OUT OF PEOPLE WHO HAVE NOT PAID THEIR STORM WATER ENTERPRISE FUND BILLS, THE 70% FIGURE QUOTED EARLIER THIS EVENING IS NOT CORRECT.

TONY SHEPPS, NO ADDRESS GIVEN, STATED THAT THE STORM WATER ENTERPRISE FUND FEE IS A HARDSHIP ON HIS BUSINESS AND ON THE CITIZENS OF LANSING. HE STATED THAT HE WILL NOT PAY THE FEE, NOR HIS TAXES, UNTIL SOMEONE FROM THE CITY COMES TO 2320 E. SAGINAW AND CLEANS UP THE MESS THAT THE CONTRACTORS HAVE MADE OF HIS BUSINESS SITE.

COUNCILMEMBER LEEMAN ASKED MR. WIENER TO FOLLOW ON THIS MATTER. HE HAS TALKED TO LIZA ESTLUND OLSON ABOUT THIS PROBLEM WITH SHEPPS, WHICH HAS EXISTED FOR THREE YEARS.

ALBERTA JORDAN, NO ADDRESS GIVEN, THANKED EVERYONE

WHO WORKED ON THE CITIZENS REVIEW BOARD PETITIONS. SHE READ A LETTER FROM HER SON.

MARJORIE MORGAN OF 3224 POTTER ST. SAID THAT SHE DOES NOT APPRECIATE HAVING TO PAY DOUBLE FOR THE SEPERATION OF HER SEWERS. SHE HAS ALREADY PAID ONCE TO HAVE HER SEWERS SEPARATED. SHE SHOULD NOT HAVE TO PAY FOR THE RESIDENTS WHO LIVE FIVE MILES AWAY FROM HER WHEN SHE HAS ALREADY PAID \$5,000 FOR HER OWN SEWER SEPARATION.

## REPORTS OF COUNCIL COMMITTEES

### RESOLUTION #445 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-3-97, SOUTHWEST CORNER MARTIN LUTHER KING JR. , BOULEVARD AND WEST WILLOW STREET, "B" RESIDENTIAL DISTRICT AND "J" PARKING DISTRICT TO "IF" COMMERCIAL DISTRICT.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AND THAT THE Z-3-97 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

## CITY OFFICER & BOARD REPORTS

### 1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

### 2. LETTERS FROM THE CITY CLERK RE:

A. SUBMITTING APPLICATION FOR MEMBERSHIP ON THE ETHICS BOARD RECEIVED FROM CALVIN C. ANDERSON OF 1112 W. MAPLE ST.

REFERRED TO THE COMMITTEE OF THE WHOLE

B. SUBMITTING NOTICE OF MAYORAL VETO ON RESOLUTION #412, ADOPTED BY THE CITY COUNCIL ON JULY 28, 1997, WHICH PLACED LANGUAGE FOR THE REPEAL OF THE STORMWATER ENTERPRISE FUND ON THE NOVEMBER 4, 1997 GENERAL ELECTION BALLOT



REFERRED TO THE COMMITTEE OF THE WHOLE

3. LETTERS FROM THE MAYOR RE:

A. REAPPOINTMENT OF GRANT HILTS TO THE BOARD OF ZONING APPEALS FOR A TERM TO EXPIRE JUNE 30, 1999

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

B. TRANSFER OF FUNDS: PUBLIC SERVICE DEPT., LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. PUBLIC IMPROVEMENT IV - PAULSON ST. FROM N. EAST ST. TO CEDAR ST.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. SLU-03-97; 402 S. WASHINGTON AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

E. SLU-04-97; 625 W. SHERIDAN RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

F. Z-12-97; 101-121 E. GRAND RIVER & 1212 N. WASHINGTON

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

G. Z-13-97; W. SIDE OF THE 300 BLOCK OF N. CAPITOL

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

H. REQUEST FOR APPROPRIATION OF COMMUNITY USE AND COMMUNITY PROMOTION FUNDS:

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

I. LETTERS OF SUPPORT FOR THE CEDAR PARK APARTMENTS

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

J. LETTER OF APPRECIATION TO LPD

RECEIVED AND PLACED ON FILE

K. CERTIFICATE OF APPRECIATION TO THE CONVENTION VISITORS BUREAU BY THE AMERICAN HORTICULTURAL SOCIETY

RECEIVED AND PLACED ON FILE

L. WITHDRAWAL OF APPOINTMENT OF MARTHA MCFARLANE TO THE HISTORIC DISTRICT COMMISSION

REFERRED TO THE MAYOR

**COMMUNICATIONS & PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRAL BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. NOTICE FROM THE STATE OF MICHIGAN PUBLIC SERVICE COMMISSION OF A HEARING TO CONSIDER THE RESTRUCTURING OF THE ELECTRIC UTILITY INDUSTRY TO BE HELD ON JULY 31, 1997

RECEIVED AND PLACED ON FILE

2. LETTER FROM MICHAEL & CAROL SAUNDERS, NO ADDRESS GIVEN, OPPOSING Z-09-97

REFERRED TO THE MAYOR AND THE PLANNING BOARD

3. LETTER IN SUPPORT OF EXTENDING THE MICHIGAN AVE. STREETSCAPE PROGRAM FROM GARRY THOMAS GRIMM OF 2002 E. MICHIGAN AVE.

REFERRED TO THE MAYOR

4. LETTER OF COMPLAINT FROM RUTH HALLMAN OF 1014 W. LAPEER REGARDING PROBLEMS WITH THE USE OF FIREWORKS IN HER NEIGHBORHOOD

REFERRED TO THE MAYOR

5. STORMWATER ENTERPRISE APPEALS FROM: WILLIAM & ROXIE RODGERS OF 331 COX BLVD.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

6. LETTER FROM CAROL MISSELDINE OF 226 N. FAIRVIEW IN SUPPORT OF THE STORMWATER ENTERPRISE FUND

REFERRED TO THE COMMITTEE OF THE WHOLE

7. REQUEST FROM HORIZON'S ON THE TOWER; CARL J. DAVIS, M. RICQUE WILLIAMS AND DON WALTERS FOR DESIGNATION OF ONE OF THE CITY OF LANSING'S TWO REMAINING NEW CLASS C LIQUOR LICENSES FOR A SHOWCASE RESTAURANT TO BE LOCATED IN MICHIGAN NATIONAL TOWER

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

8. LETTER FROM ATTORNEYS ON BEHALF OF MANPOWER OF LANSING WITHDRAWING THEIR MICHIGAN TAX TRIBUNAL APPEAL AND REQUESTING A REFUND FROM THE MTT



REFERRED TO THE CITY ATTORNEY

9. LETTERS FROM CHRISTINE TIMMON OF 335 E. ST. JOSEPH RE:

-RACIAL ISSUES IN LANSING

RECEIVED AND PLACED ON FILE

-MAYOR HOLLISTER'S VETO OF THE RESOLUTION PLACING THE STORMWATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER GENERAL ELECTION BALLOT

-MISINFORMATION ABOUT THE STORMWATER ENTERPRISE FUND

REFERRED TO THE COMMITTEE OF THE WHOLE

10. PETITION FROM STEPHEN & JULIE BEAL OF 2205 LYONS AVE. CONTAINING 68 SIGNATURES REQUESTING INSTALLATION OF A STOP SIGN ON LYONS AVE. AT THE INTERSECTIONS OF PACIFIC AND GREENLAWN

REFERRED TO THE MAYOR, THE TRAFFIC BOARD AND THE COMMITTEE ON PUBLIC SAFETY

11. LATE ITEM FROM COUNCILMEMBER JONES; A LETTER FROM MARY JO KERESKES REQUESTING ASSISTANCE WITH THE BASEBALL ACTIVITIES AT GIER PARK

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

12. LATE ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM BRIAN MOORE REQUESTING THE INSTALLATION OF A STOP SIGN IN MARSCOTT MEADOWS SUBDIVISION

REFERRED TO THE MAYOR, THE TRAFFIC BOARD AND THE PUBLIC SAFETY COMMITTEE

13. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; A LETTER REQUESTING THAT THE PROPERTY LOCATED BEHIND 133 OLYMPIA BE MOWED

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

14. SUSPENSION ITEM FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THOMAS DODD REQUESTING DEVELOPMENT ASSISTANCE WITH BROTHER DODD'S RESTAURANT SANITATION DRAIN FACILITIES ON WAVERLY RD.

REFERRED TO THE MAYOR

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER REMINDED EVERYONE THAT ON AUGUST 13, 1997 AT MICHIGAN CAPITAL MEDICAL CENTER IN THE AUDITORIUM, THE DELEGATION OF VISITORS TO SISTER CITY ST. PETERSBURG, RUSSIA WILL PRESENT A SLIDE SHOW OF THEIR TRIP. PLEASE ATTEND.

COUNCILMEMBER ALLEN APOLOGIZED TO CITY CLERK SLADE FOR THE DIFFICULTY SURROUNDING THE BROADCASTING OF

ELECTION NIGHT RESULTS. SHE IS SORRY THAT THE RESULTS WILL NOT BE ON CHANNEL 28.

COUNCILMEMBER LEEMAN THANKED EVERYONE WHO ATTENDED THE NORTH TOWN NEIGHBORHOOD ASSOCIATION PICNIC IN THE PARK LAST WEEKEND. HE EXPLAINED HIS SIDE OF THE CONTROVERSY SURROUNDING THE USE OF CHANNEL 28 TO BROADCAST ELECTION RESULTS. HE WANTED TO PRODUCE A BETTER QUALITY SHOW, BECAUSE OF COMPLAINTS HE HAS RECEIVED OVER THE YEARS. HE ASKED THE CITY CLERK FOR A WRITTEN OBJECTION TO HIS PLANS, BUT SHE REFUSED.

COUNCILMEMBER BEAL GAVE A SPEECH REGARDING THE HISTORY OF PAST CITY COUNCIL'S AND THE INTEGRITY OF THIS CITY COUNCIL. THIS IS THE FIRST TIME IN YEARS THAT CITY COUNCIL HAS NOT BEEN RUN BY SPECIAL INTEREST GROUPS. THAT IS HOW EARLY RETIREMENT WAS PASSED. THOSE COUNCILMEMBERS DID NOT ASK QUESTIONS AND DID NOT UNDERSTAND THE ISSUES. THIS COUNCIL HAS OPENED UP THE DELIBERATIVE NATURE OF CITY COUNCIL TO THE PUBLIC.

COUNCILMEMBER BAUER RAISED A POINT OF ORDER WITH PRESIDENT BEAL WITH REGARD TO THE USE OF A PUBLIC FACILITY FOR WHAT APPEARS TO BE A POLITICAL CAMPAIGN SPEECH.

CITY ATTORNEY SMIERTKA SAID THAT THIS IS NOW AN ISSUE WITH THE CAMPAIGN FINANCE ACT REGARDING THE USE OF PUBLIC FACILITIES FOR CAMPAIGN REASONS.

COUNCILMEMBER BEAL THANKED THE CITY ATTORNEY FOR HIS INFORMATION AND CONTINUED HER SPEECH. SHE PROPOSED THAT MAYOR HOLLISTER ENGAGE IN 5-6 DEBATES WITH HER AROUND THE CITY, SO THAT THEY CAN GET DOWN TO THE ISSUES ON WHICH THEY DIFFER.

### MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

MR. WIENER RESPONDED TO COUNCIL PRESIDENT BEALS' OBVIOUSLY POLITICAL SPEECH AND THE APPLAUSE OF THE AUDIENCE. JUST BECAUSE SOMEONE SAYS SOMETHING, DOES NOT MAKE IT TRUE. NOT EVERYONE WORRIES IF THE STATEMENTS THEY MAKE ARE CORRECT. THE MAYOR HAS VETO POWER AND THE COUNCIL HAS THE ABILITY TO OVERRIDE HIS VETO. SIX PEOPLE ON COUNCIL CAN VOTE TO OVERRIDE A MAYORAL VETO. MAYOR HOLLISTER HAS ALWAYS MADE A STRONG ATTEMPT TO WORK ISSUES OUT, RATHER THAN HAVING TO VETO THEM. THERE IS NO QUESTION THAT WE ARE MANDATED TO CLEAN UP OUR RIVERS. THERE ARE MANY DIFFERENT WAYS TO PAY FOR THIS PROJECT. WE CLEARLY HAVE NOT RESOLVED OUR DIFFERENCES AS TO HOW THIS SHOULD BE ACHIEVED. THAT IS WHY WE HIRED A CONSULTANT FOR \$150,000. MAYOR HOLLISTER HAS NOT ATTEMPTED TO CONTROL CITY COUNCIL. THERE HAS BEEN AN OPEN DIALOGUE BETWEEN THE MAYOR AND THE CITY COUNCIL FOR THE PAST THREE YEARS, AND THIS SHOULD BE MAINTAINED.

ADJOURNED 11:15 P.M.

MARILYNN SLADE, CITY CLERK





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF AUGUST 11, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

ABSENT: NOVAK

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LEEMAN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LEEMAN; A LETTER FROM THE HISPANIC CULTURAL CENTER REGARDING THE VENDING OF FOOD ITEMS AT THE RIVERFEST
2. FROM COUNCILMEMBER LILLY; PETITIONS AND LETTERS IN OPPOSITION TO Z-09-97
3. FROM COUNCILMEMBER ALLEN; A LETTER FROM EUGENE T. BUCKLEY REGARDING A TRAFFIC VIOLATION HE WAS ISSUED AND THE TRAFFIC CONTROL ORDER THAT SUPPORTS IT
4. FROM COUNCILMEMBER ALLEN; A LETTER FROM THE RESIDENTS OF RAVENSWOOD HEIGHTS SUBDIVISION NEIGHBORHOOD ASSOCIATION REQUESTING A RESOLUTION ALLOWING THE REANNEXATION OF THEIR NEIGHBORHOOD TO LANSING CHARTER TOWNSHIP
5. FROM COUNCILMEMBER BENAVIDES; A STORMWATER APPEAL FILED BY THOMAS HERNLY FOR 3425 PALMER ST.

CARRIED UNANIMOUSLY

LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCIL PRESIDENT BEAL ANNOUNCED THE EASTERN HIGH SCHOOL "ALL SCHOOL CLASS PICNIC" THIS EVENT WILL INCLUDE ALL CLASSES FROM 1929 TO 1997. IT IS A "BRING A DISH TO PASS" PICNIC. FOR MORE INFORMATION, PLEASE CONTACT JACK GUNTHER.

COUNCILMEMBER ALLEN ANNOUNCED A RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) PICNIC AT FRANCES PARK ON AUGUST 12, 1997 FROM 12:00 P.M. TO 3:00 P.M.

DAVID WIENER ANNOUNCED THAT OLDSMOBILE PARK HAS SCHEDULED FRIDAY AND SATURDAY NIGHT MOVIES TO RUN NEXT WEEK IN CONJUNCTION WITH THE OLDSMOBILE CENTENNIAL CELEBRATION. ADDITIONALLY, THE MICHIGAN FESTIVAL BEGINS THIS WEEKEND ON THE MSU CAMPUS. THE CITY OF LANSING IS ONE OF THE SPONSORS OF THIS EVENT, AS WELL. HE THANKED THE CITY OF LANSING EMPLOYEE PARTICIPANTS IN THE YMCA CORPORATE CHALLENGE THAT TOOK PLACE LAST WEEKEND.

► SPECIAL CEREMONIES

A. COUNCILMEMBER JONES PRESENTED A RESOLUTION OF TRIBUTE TO HEATHER MORGAN, A REPORTER FOR THE LANSING STATE JOURNAL.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF Z-09-97; JOLLY RD. BETWEEN JOLLY-CEDAR & SKOOG COURT, PETITION FOR REZONING FROM "F" COMMERCIAL & "G-2" WHOLESALE TO "DM-1" RESIDENTIAL DISTRICT FILED BY HDC, INC. ON BEHALF OF BLUE WATER FINANCIAL COMPANY TO ALLOW FOR THE DEVELOPMENT OF A 144 UNIT APARTMENT COMPLEX WITH A NET DENSITY OF 10.47 DWELLING UNITS PER ACRE

JOANN GOLDEN OF 102 MAIN ST., MT. PLEASANT, MI SAID THAT SHE IS A PROPERTY MANAGER FOR THIS TYPE OF PROPERTY. THESE KINDS OF PROPERTIES OFFER AFFORDABLE RENTS TO LANSING RESIDENTS WITH INCOME BETWEEN \$16,000 AND \$25,000 ANNUALLY. THESE ARE TYPICALLY PEOPLE IN SERVICE AND SERVICE INDUSTRY MANAGEMENT JOBS.

WILLIAM TORRENCE OF 208 REDNER STATED THAT HE OPPOSED THE PETITION FOR THIS REZONING, AS IT WAS ORIGINALLY SUBMITTED, HOWEVER THE PLANNING BOARD HAS MADE CHANGES TO THE PLANS TO ALLOW FOR ADDITIONAL INGRESS AND EGRESS INTO THE COMPLEX THAT ALLOWS HIM TO NOW SUPPORT THE PROJECT.

PAUL WOLCOTT OF 215 REDNER STATED THAT HE DOES NOT SUPPORT THIS PROPOSAL BECAUSE THERE IS NOT



SUFFICIENT TRANSPORTATION RESOURCES TO HANDLE THIS TYPE OF DEVELOPMENT IN THIS AREA. THEY WOULD WELCOME A COMMERCIAL DEVELOPMENT ON THIS PROPERTY, BECAUSE IT WOULD HAVE LOWER TRAFFIC DENSITY. HE SUBMITTED 466 SIGNATURES IN OPPOSITION TO THE REZONING PETITION.

BOBBIE MERSMAN VANDERMAEN OF 505 CHERRY ST. IN GRAND RAPIDS READ A LETTER WRITTEN BY PAUL GALLAGHER, MANAGER OF ONE OF THESE TYPES OF APARTMENT DEVELOPMENTS. THIS IS A TAX CREDITED HOUSING DEVELOPMENT.

DAVID STEWART OF 12595 WOOD RD., A PROPERTY MANAGER, SAID THIS THE PROPOSED DEVELOPMENT IS A UNIQUE TYPE OF COMPLEX IN LANSING. IT IS DEVELOPED WITH THE FAMILY IN MIND AND WOULD PROVIDE HEALTHY COMPETITION FOR OTHER AREA COMPLEXES AND ENCOURAGE THEM TO MAINTAIN HIGH STANDARDS IN ORDER TO REMAIN OCCUPIED.

CHRISTINE HELMS OF 1810 STONEBREAK DR. N.E. IN GRAND RAPIDS SAID THAT SHE LIVES IN A SIMILAR DEVELOPMENT IN GRAND RAPIDS. THIS COMPLEX MAKES HER FEEL SAFE AND ALLOWS HER TO LET HER DAUGHTER TO OUT AND PLAY AT NIGHT. SHE HAS BOUGHT A NEW CAR AND OTHER NEW ITEMS SINCE SHE MOVED INTO THIS TAX ASSISTED FACILITY, WHICH HAS A NICE GREEN AREA AND IS SITUATED NEXT DOOR TO A SENIOR CITIZEN COMPLEX. IT IS LOCATED CLOSE TO SERVICES AND TO HER PLACE OF WORK.

KAREN KING OF 300 E. MAIN SAID THAT SHE HAS BEEN A PROPERTY MANAGER IN THIS BUSINESS FOR SOME TIME. SHE HAS SEEN THIS SITE AND FEELS THERE IS A GREAT NEED FOR AFFORDABLE HOUSING IN THIS AREA. THIS PROJECT WILL HELP BUILD SELF ESTEEM FOR IT'S RESIDENTS AND ALLOW THEM TO GROW.

HENRY HUNT OF 1401-22 E. KALAMAZOO SAID THAT CITIES MUST PROGRESS AND PROVIDE HOUSING FOR LOW INCOME FAMILIES. THE COMPANY HE WORKS FOR IS VERY REPUTABLE. HE RECEIVES 4-5 CALLS PER WEEK FROM FAMILIES HE CANNOT HELP.

JIM BURGESS OF 122 E. SYRINGA ON LANSING'S SOUTH SIDE POINTED OUT THAT THE PREVIOUS SPEAKERS ARE PROPERTY MANAGERS WHO WORK FOR THE APPLICANT. THEY COULDN'T BE EXPECTED TO SAY ANYTHING AGAINST THE PROPOSAL. CEDAR ST. CANNOT HANDLE 200 EXTRA CARS PER DAY. THE SCHOOL SYSTEM CANNOT HANDLE THE EXTRA ENROLLMENTS. THE SOUTH SIDE OF LANSING IS ALREADY SWAMPED WITH HOUSING DEVELOPMENTS AND DOES NOT NEED MORE. THIS DEVELOPMENT SHOULD BE PUT ON THE NORTH SIDE, OR THE EAST SIDE.

LYOYD TEETS OF 116 E. ELM ST. SAID THAT IF RESIDENTS CAN AFFORD TO LIVE IN THIS TYPE OF TAX ASSISTED HOUSING DEVELOPMENT, THEN THEY CAN AFFORD TO BUY THEIR OWN HOMES WITH DOWNPAYMENT ASSISTANCE FROM THE CITY OF LANSING. WE NEED TO ASSIST THESE LOW INCOME FAMILIES WITH DOWN PAYMENT PROGRAMS THAT WILL ALLOW THEM TO PURCHASE THEIR OWN HOMES.

KATHY DIBEAN OF 5241 SUNROSE THANKED

COUNCILMEMBER ALLEN FOR ALL OF HER HELP WITH THIS PROJECT. WE DO NOT NEED PEOPLE FROM OUT OF TOWN TELLING US WHAT WE NEED IN OUR COMMUNITIES. IT IS THE TAX PAYERS AND HOME OWNERS THAT TAKE CARE OF THE CITY. IF WE WANT TO BUILD MORE COMPLEXES, WE SHOULD CONSIDER A SENIOR CITIZEN DEVELOPMENT.

ANNE PAQUET-HOWARD OF 111 E. JOLLY RD., REPRESENTING THE BOARD OF DIRECTORS AND 62 UNITS OF THE TWIN OAKS DEVELOPMENT SAID THAT THEY DO NOT OPPOSE DEVELOPMENTS LIKE THIS, RATHER THEY OPPOSE THE SPECIFIC AREA IN WHICH THE DEVELOPMENT WILL BE LOCATED. THIS AREA IS ALREADY SATURATED WITH APARTMENT COMPLEXES. SHE ASKED THE PEOPLE IN ATTENDANCE TONIGHT TO PROTEST THIS DEVELOPMENT TO STAND. APPROXIMATELY 30 PEOPLE STOOD TO SHOW THEIR OPPOSITION.

ALICE YELLOWBANK OF 5916 KAYNORTH SAID THAT SHE HAS LIVED IN LANSING SINCE 1979. WHEN SHE FIRST CAME TO LANSING SHE LIVED IN AFFORDABLE HOUSING LIKE THE PROPOSED DEVELOPMENT. IF NOT FOR THIS TYPE OF HOUSING, SHE WOULD NOT HAVE HAD A PLACE TO LIVE, NOR WOULD SHE HAVE BEEN ABLE TO BUY HER HOME.

BOB YELLOWBANK OF 5916 KAYNORTH STATED HIS SUPPORT OF THIS PROJECT. HE HAS LIVED IN THESE TYPES OF COMMUNITIES THROUGHOUT THE COUNTRY. THERE IS ALWAYS A NEED FOR THESE TYPES OF COMMUNITIES. HE DOES NOT LIKE TO HEAR THE VOICE OF RACISM ON ISSUES LIKE THIS. THE NEED FOR THESE TYPES OF DEVELOPMENTS WITH SECURITY AND MAINTENANCE IS GREAT. THE TRAFFIC VOLUME ISSUE CAN BE WORKED OUT.

DREW SHEPARD OF 513 BLUEBELL THAT HIS CONCERNS INCLUDE INCREASED TRAFFIC IN THE AREA AND GOOD ON-SITE MANAGEMENT. HE HAS LIVED IN APARTMENTS WHERE THE MANAGER DID NOT LIVE IN THE COMPLEX.

TERRY BAILEY OF 24100 MEADOWBROOK IN NOVI, REPRESENTING HDC, SAID THAT THE PROPOSED DEVELOPMENT FOR THIS PARTICULAR SITE PROVIDES GOOD HOUSING FOR THE RESIDENTS OF LANSING. THEY HAVE TRAFFIC STUDIES SHOWING THAT THE ADDITION OF A TURN LANE (FINANCES BY THE DEVELOPERS) WOULD PROVIDE ADEQUATE TRAFFIC CONTROL MEASURES TO HANDLE THE INCREASE IN TRAFFIC. THEY HAVE TWO ALTERNATIVE PROPOSALS FOR THIS SITE. ONE IS A CINEPLEX CONTAINING THREE THEATERS, AND ONE IS A RETAIL DISTRIBUTION CENTER. THESE ARE USES CONSISTENT WITH THE CURRENT ZONING. THEY ARE PREPARED TO GO AHEAD WITH DEVELOPMENT OF ONE OF THESE TWO ALTERNATIVES, IF THEY ARE NOT ALLOWED TO CONSTRUCT THE HOUSING DEVELOPMENT. IT IS THEIR FEELING THAT THE HOUSING DEVELOPMENT, ALTHOUGH IT REQUIRES A REZONING, IS A MORE NEIGHBORHOOD FRIENDLY AND LESS TRAFFIC INTENSIVE INTRUSION INTO THE NEARBY RESIDENTIAL NEIGHBORHOODS.

MICHAEL JACOBSON OF 2282 E. FULTON IN GRAND RAPIDS SUBMITTED BROCHURES SHOWING THE ZONING ISSUES SURROUNDING THIS REQUEST. THE PLANNING BOARD LACKS THE REQUISITE NUMBER OF MEMBERS. IF THE BOARD WERE FULLY APPOINTED, AN AFFIRMATIVE VOTE ON THEIR



PROPOSAL WOULD HAVE BEEN POSSIBLE. SINCE THE BOARD CURRENTLY ONLY HAS SIX MEMBERS, AND ONE MEMBER VOTED IN OPPOSITION, THEY LACKED THE 6 AFFIRMATIVE VOTES THEY NEEDED TO APPROVE THE REQUEST. THE PLANNING DEPARTMENT HAS APPROVED THE PLANS THEY MADE FOR TRAFFIC IMPROVEMENTS TO MITIGATE THE ADDITIONAL TRAFFIC FLOW CAUSED BY THEIR DEVELOPMENT. CONSIDERING THE MANY OTHER USES THE CURRENT ZONING WOULD ALLOW, THE RESIDENTIAL DEVELOPMENT THEY HAVE PROPOSED WOULD BE MUCH BETTER FOR THE NEIGHBORHOOD.

RICHARD WIENER OF 721 N. CAPITOL SAID THAT HE PRACTICES LAW IN LANSING. HE IS HERE ON BEHALF OF HDC CORPORATION, THE PETITIONER IN THIS CASE. THEY HAVE BEEN WORKING TO FIGURE OUT A GOOD USE FOR THIS PROPERTY. WHAT THE DEVELOPER HAS PROPOSED IS A MUCH LESS INTENSIVE USE THAN THEY COULD HAVE PROPOSED, GIVEN THE CURRENT ZONING.

DAVID FINK, CO-COUNSEL FOR HDC CORPORATION, SAID THAT THE PLANNING DEPARTMENT STAFF LOOKED AT THE COMPATIBILITY OF THE PROPOSED DEVELOPMENT WITH SURROUNDING USES AND FOUND THIS PROPOSAL TO BE COMPATIBLE. IT WOULD HAVE A LESS NEGATIVE ENVIRONMENTAL IMPACT THAN COMMERCIAL DEVELOPMENT OF THE SITE WOULD HAVE. THIS PROPOSAL IS CONSISTENT WITH THE MAY 1995 CONSOLIDATED STRATEGY PLAN APPROVED BY COUNCIL.

KRIS NICHOLOFF OF 211 W. OAKLAND AVE. SPOKE IN SUPPORT OF THIS PROJECT. EVERYONE WHO KNOWS WHO HE IS, KNOWS THAT HE BELIEVES IN THIS CITY. HE LIVED NEXT DOOR TO COMPLEXES LIKE THIS WHEN HE LIVED OUTSIDE OF THE CITY, AND WOULD LIKE TO BE ABLE TO SAY THAT HE LIVED IN A COMMUNITY LIKE THAT AGAIN. WE HAVE ALL RENTED AT ONE TIME OR ANOTHER. HE URGED COUNCILMEMBERS TO VOTE ON THIS ISSUE BASED ON THE BASICS INVOLVED.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 206, THE PURCHASING ORDINANCE FOR THE PURPOSE OF PROVIDING FOR THE PROHIBITION OF THE PURCHASING, LEASING, RENTING, OR TAKING ON CONSIGNMENT OF GOODS FOR USE OR FOR RESALE BY THE CITY OR CITY OWNED ENTERPRISES WHICH WERE PRODUCED OR MANUFACTURED UNDER SWEATSHOP CONDITIONS

DARNELL OLDHAM, SR. OF 3815 BERWICK COMMENDED COUNCILMEMBER JONES FOR PROPOSING THIS ORDINANCE. HE URGED ADOPTION. WHILE MAYOR HOLLISTER IS ESTABLISHING TRADE AGREEMENTS WITH COMMUNIST COUNTRIES THAT HAVE THE WORST CIVIL RIGHTS RECORDS IN THE WORLD, COUNCIL CAN PASS ORDINANCES KEEPING AN EYE ON THESE TYPES OF PROPOSALS FOR AGREEMENTS WITH SISTER CITIES THAT USE SLAVE LABOR AND SWEAT SHOP LABOR.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SPOKE REGARDING THE TRANSFER OF FUNDS FOR THE CSO AND SEWER SEPARATION PROJECT.

ALEXANDER BOLT OF 1230 REO RD. SPOKE REGARDING THE TRANSFER OF FUNDS FOR THE CSO AND SEWER PROJECT. HE SUGGESTED THAT; SINCE MAYOR HOLLISTER HAS REFUSED THE CITIZENS OF THE CITY THE RIGHT TO VOTE ON THE STORM WATER ENTERPRISE FUND ORDINANCE, COUNCIL SHOULD WITHHOLD THESE TRANSFERS AND REFUSE TO ALLOW THE ADMINISTRATION TO SPEND THESE MONIES.

## LEGISLATIVE MATTERS RESOLUTIONS

### RESOLUTION #446

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 98 TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$11,700	RECYCL-RETAINED EARNING 597-0-395001-0	PEC&M EQUIP 597-453688-977000-0

(FUNDING TO PURCHASE ALTERNATIVE FUEL VEHICLE FOR RECYCLING PROGRAM.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$13,000	GEN FUND-EST REVENUE 101-0-170001-0	POLICE DEPT. CONTROL 101-343201-992200-0
\$13,000	POLICE DEPT. CONTROL 101-343201-992200-0	911-EQUIPMENT 101-343230-977000-0

(PURCHASE OF ADDITIONAL CAD CONSOLE TO ACCOMMODATE ALL FIRE DISPATCH FUNCTIONS, INCLUDING LANSING FIRE, AT 911 CENTER. FUNDED FROM INCREASED REVENUES IN 911 CONTRACT, REVENUE DETAIL ACCOUNT 101-0-617100-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$50,000	STATE & FED PROG-EST REV 273-0-170001-0	TRAINING-POLICE 273- 343212-747000-14310

(REVISED ESTIMATE OF FY 98 P.A. 302 RECEIPTS FOR POLICE TRAINING. REVENUE DETAIL ACCOUNT 273-0-543001-17752)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$114,900	STATE & FED PROG-EST REV 273-0-170001-0	KALAMAZOO 273- 933601-974103- 18828

(FUNDING FOR KALAMAZOO STREET MILLING AND RESURFACING ACROSS FROM TRANSPORTATION CENTER. FEDERAL STP FUNDS 80%. CITY MATCH FROM 202-453601-974100-50002 AND 410-93369097420013026. REVENUE DETAIL ACCOUNT



273-0-501001-18828.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$41,000	GENERAL CONTINGENCY 101-173901-992001-0	COMMUNITY SUPPORTED AGENCIES-CONTROL 101- 834101-992200-0
\$41,000	COMMUNITY SUPPORTED AGENCIES-CONTROL 101- 834101-992200-0	EDUCATION INITIATIVE 101- 834101-960224-0

(ADDITIONAL FUNDING TO ASSIST IN IMPLEMENTATION OF BLUE RIBBON COMMITTEE RECOMMENDATIONS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,000	GEN FUND-FUND BAL 101- 0-390001-0	PARKS & REC-CTRL 101-783860-992200-0
\$5,000	PARKS & REC-CTRL 101-783860-992200-0	CITIZEN DONATIONS 101-783810-741880-0

(DONATION FROM STATE EMPLOYEES CREDIT UNION FOR JULY 4TH FIREWORKS. MONEY WAS RECEIVED IN FY 97 AND CREDITED TO REVENUE DETAIL ACCOUNT 101-0-675000. AT JUNE 30, IT LAPSED TO FUND BALANCE, NECESSITATING THIS ACTION TO APPROPRIATE IN THE NEW FISCAL YEAR.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$291,951	STATE & FED PROG-EST REV 273-0-170001-0	
\$13,426		HUD SPRTV Hsng. Prog. ADMIN. 273-673710- 961600-17814
\$278,525		HUD SPRTV Hsng. Prog. SERV. 273-673710- 961744-17814

(INITIAL APPROPRIATION PROVIDED FOR IMPLEMENTATION OF HUD CONTINUUM OF CARE GRANT, THROUGH RED CROSS TO PROVIDE FOR NEEDS ASSESSMENT, CLIENT INTAKE AND INFORMATION MANAGEMENT, AND ONGOING CASE MANAGEMENT SERVICES.

BE IT FURTHER RESOLVED THAT, AS LANGUAGE PROVIDING FOR THE APPROPRIATION OF FUNDS WAS OMITTED FROM THE ORIGINAL RESOLUTION PROVIDING FOR APPLICATION FOR THE CONTINUUM OF CARE GRANT (#252), THE ADMINISTRATION IS AUTHORIZED TO CREATE APPROPRIATE ACCOUNTS AND MAKE NECESSARY TRANSFERS TO IMPLEMENT THE GRANT, AS AWARDED, TOTALING \$1,740,912 OVER THREE YEARS.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #447

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 97 TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,844.94	CSO PHASE I SEG 2 LOCAL CONTRIB. CHG ORD 593- 453682-973001-61120	
\$1,460.08		SALARIES-ENGINEERING 593- 453682-702018-61121
\$381.86		FRINGE BENEFITS 593- 453682-715000-61120

(CLOSE OUT OF ACCOUNTS FOR PHASE I, SEGMENT 2 OF CSO PROJECT)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$31,977.74	CSO PHASE I I SEG. I PART 2 CONTING. 593- 453681-992000-61215	SEWERS 593-453661- 973000-61216

(FUND FINAL DISTRIBUTION OF COSTS FOR PHASE II, SEGMENT I, PART 2 OF CSO PROJECT.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$16,800	GEN FUND-EST REV 101-0- 170001-0	FIRE DEPT-CONTROL 101- 343570-977000-0
\$16,800	FIRE DEPARTMENT-CONTROL 101-343570-977000-0	AMBULANCE-EQUIPMENT 101-343570-977000-0

(FUNDS RECEIVED FROM PMI FOR PURCHASE OF OLD DEFIBRILATORS. INITIAL UNDERSTANDING WAS THAT OLD EQUIPMENT WOULD BE TRADED FOR CREDIT APPLIED TO PURCHASE PRICE, RATHER THAN SOLD TO 3RD PARTY. REVENUE DETAIL ACCOUNT 101-0-673000-0.)

BY COUNCILMEMBER JONES

TO SEPARATE THE QUESTION ON THESE TRANSFERS TO CORRECT THE ACCOUNT SEWERS ACCOUNT NUMBER IN THE SECOND TRANSFER TO 593-453681-973000-61216, AND TO ALLOW FOR ALL THREE TRANSFERS TO BE VOTED ON INDIVIDUALLY

CARRIED UNANIMOUSLY

BY COUNCILMEMBER JONES

TO PLACE AN AFFIRMATIVE ROLL ON THE FIRST TRANSFER OF \$1,460.08 TO SALARIES-ENGINEERING AND \$381.86 TO FRINGE BENEFITS

MOTION DEFEATED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES, LILLY

ABSENT: COUNCILMEMBER NOVAK

BY COUNCILMEMBER JONES

TO PLACE AN AFFIRMATIVE ROLL ON THE \$31,977.71



TRANSFER TO SEWERS

MOTION DEFEATED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES, LILLY

ABSENT: COUNCILMEMBER NOVAK

BY COUNCILMEMBER JONES

TO PLACE AN AFFIRMATIVE ROLL ON THE REMAINING TRANSFERS CONTAINED WITHIN THIS TRANSFER RESOLUTION

CARRIED UNANIMOUSLY

#### RESOLUTION #448

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE LESSOR OF THE AMOUNT INDICATED OR THE REMAINING UNENCUMBERED BALANCE IN THE FOLLOWING ACCOUNT BE REAPPROPRIATED IN FY 98 TO THE ADMINISTRATIVE ACCOUNT, AS SHOWN:

BALANCE AS OF 8/5/97	FUND/DEPARTMENT/ACCOUNT	AMOUNT TO REAPPROPRIATE
\$18,750	GOLF FUND-PARKS AND RECREATION 584-783850-970000-0 CAPITAL IMPROVEMENTS	\$18,750

(PROCEEDS FROM GOLF SURCHARGE FOR COURSE IMPROVEMENTS.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #449

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, IT IS THE OBJECTIVE OF THE CITY OF LANSING TO WORK IN PARTNERSHIP WITH OTHER ORGANIZATIONS TO PROVIDE SHELTER AND SUPPORTIVE SERVICES TO HOMELESS INDIVIDUALS AND FAMILIES, AND TO WORK TOGETHER TO ASSIST THIS SPECIAL NEEDS POPULATION IN ACQUIRING PERMANENT HOUSING AND ATTAINING SELF SUFFICIENCY; AND

WHEREAS, THE CITY IN A PARTNERSHIP WITH OVER TWENTY (20) AGENCIES IN THE GREATER LANSING AREA HAS FORMED THE GREATER LANSING HOMELESS RESOLUTION NETWORK (GLHRN) TO DEVELOP A STRATEGY AND PROGRAM TO MORE COMPREHENSIVELY AND EFFECTIVELY ADDRESS THE NEEDS OF THE HOMELESS POPULATION IN THE AREA; AND

WHEREAS, THE GLHRN HAS WORKED OVER THE PAST TWO YEARS TO DEVELOP AND REFINE A STRATEGY AND PROGRAMS AND PREPARED A PLAN OF ACTION WITH PRIORITY PROJECTS; AND

WHEREAS, THE GLHRN THROUGH THE CITY OF LANSING RECEIVED IN THE 1996 U.S. HOUSING AND URBAN DEVELOPMENT HOMELESS SUPPORTIVE HOUSING PROGRAM GRANT COMPETITION \$1.7 MILLION THROUGH THE CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAM TO FINANCE ITS TOP THREE PRIORITIES IN THIS COMPREHENSIVE PROGRAM OF SERVICE AND SHELTER FOR A THREE YEAR PERIOD; AND

WHEREAS, THE GLHRN THROUGH THE CITY OF LANSING RECEIVED IN THE 1997 MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY HOMELESS GRANTS EMERGENCY SHELTER GRANTS PROGRAM \$168,400 FOR EXISTING AND NEW EMERGENCY SHELTER PROGRAM NEEDS FOR THE HOMELESS; AND

WHEREAS, THE CITY OF LANSING RECENTLY AGREED TO PROVIDE \$54,690 TO PURCHASE COMPUTER AND RELATED HARDWARE NEEDS FOR GLHRN CONTINUUM OF CARE SITES; AND

WHEREAS, THE GLHRN THROUGH THE CITY OF LANSING WILL APPLY TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ON A COMPETITIVE BASIS FOR A GRANT IN THE AMOUNT OF \$1,853,950 MILLION THROUGH THE CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAM TO PROVIDE FOR TRANSITIONAL HOUSING FOR HOMELESS WOMEN AND KIDS, VOUCHERS FOR HOMELESS INDIVIDUALS WITH DISABILITIES, CHILD CARE VOUCHERS FOR HOMELESS FAMILIES, HOUSING AND SUBSTANCE ABUSE TREATMENT FOR SUBSTANCE ABUSING HOMELESS MEN AND WOMEN; AND

WHEREAS, THE MAXIMUM MATCH THAT MAY BE INCURRED BY THE CITY AND ITS SUB-RECIPIENTS WILL NOT EXCEED \$81,163 AND WILL BE COVERED THROUGH FUNDS THAT WILL BE MADE AVAILABLE THROUGH THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY AND/OR THROUGH THE CITY'S HOME AND CDBG PROGRAMS;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL AUTHORIZES THE ADMINISTRATION TO APPLY FOR THE GRANT, AND TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT THE GRANT, AND SUBSEQUENT REVIEW AND APPROVAL BY THE CITY ATTORNEY, SHOULD THE APPLICATION BE APPROVED BY HUD.

BE IT FURTHER RESOLVED, THAT IF THE PROPOSED GRANT IS RECEIVED, IN AN AMOUNT REQUIRING LESS THAN OR EQUAL CITY MATCH TO THE AMOUNT INDICATED IN THIS RESOLUTION, THE ADMINISTRATION IS AUTHORIZED TO CREATE APPROPRIATE ACCOUNTS AND TRANSFER NECESSARY FUNDS TO ADMINISTER AND MONITOR THE GRANT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #450

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MR. CALVIN ANDERSON, HAS EXPRESSED AN INTEREST IN SERVING ON THE CITY OF LANSING ETHICS



BOARD; AND

WHEREAS, A VACANCY EXISTS, SPECIFICALLY IN THE FOURTH WARD SEAT; AND

WHEREAS, MR. ANDERSON APPEARED BEFORE THE CITY COUNCIL COMMITTEE OF THE WHOLE ON AUGUST 7, 1997, WAS INTERVIEWED AND DEEMED HIGHLY QUALIFIED TO SERVE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE APPOINTMENT OF CALVIN ANDERSON, OF 1112 W. MAPLE STREET, TO REPRESENT THE FOURTH WARD ON THE CITY OF LANSING BOARD OF ETHICS. TERM EXPIRES 2000.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

THIS RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LEEMAN

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFER BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$20,000	GENERAL ADMINISTRATION-GENERAL CONTINGENCY 101- 173901-992001-0	CITY COUNCIL CONTROL 101- 112101-992200-0
\$20,000	CITY COUNCIL CONTROL 101-112101-992200-0	STORMWATER VETO REVIEW 101-112101-743664-0

LEGAL REVIEW OF MAYOR'S VETO OF STORMWATER REFERENDUM RESOLUTION.)

#### RESOLUTION #451

BY COUNCILMEMBER JONES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AFTER TWO HECTIC YEARS, HEATHER MORGAN, REPORTER FOR THE LANSING STATE JOURNAL IS LEAVING TO PURSUE HER CAREER; AND

WHEREAS, SHE PLANS TO RELOCATE TO BOULDER, COLORADO; AND

WHEREAS, HEATHER PLANS TO ENROLL IN THE GRADUATE PROGRAM IN COMPUTER JOURNALISM AT THE UNIVERSITY OF COLORADO AND HAS ALSO ACCEPTED AN ASSISTANT TEACHING POSITION AT THE UNIVERSITY; AND

WHEREAS, HEATHER'S COVERAGE OF LANSING POLITICS, INCLUDING SUCH DIVERSE ISSUES AS STORMWATER, CIVIL RIGHTS, AND ELECTION ISSUES, DURING HER TENURE HAS BEEN EXEMPLARY; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, COMMENDS HEATHER MORGAN FOR A "JOB WELL DONE,, AND WISHES HER THE BEST OF LUCK IN HER NEW ENDEAVORS.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

## ORDINANCES FOR INTRODUCTION

### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-13-97, 300 BIK. N. CAPITOL, PARKING LOT #2, "E-1" APARTMENT SHOP AND "DM-4" RESIDENTIAL DISTRICTS TO "G-1" BUSINESS DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #452

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR TUESDAY, SEPTEMBER 2, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-13-97, 300 BLK. N. CAPITOL, PARKING LOT #2, "E-1" APARTMENT SHOP AND "DM-4" RESIDENTIAL TO "G-1" BUSINESS DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-12-97, 101-121 E. GRAND RIVER AVE., "F-1" COMMERCIAL DISTRICT TO "G-1" BUSINESS DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

#### RESOLUTION #453

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF



## LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR TUESDAY, SEPTEMBER 2, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-12-97, 101-121 E. GRAND RIVER AVE.,  
"F-1" COMMERCIAL DISTRICT TO "G-1"  
BUSINESS DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**OTHER BUSINESS**► PUBLIC COMMENT ON CITY RELATED MATTERS

KAREN GIERMAN OF 3019 INGHAM ST. CRITICIZED COUNCILMEMBER BEAL FOR MAKING "A CAMPAIGN SPEECH" AT LAST WEEKS MEETING DURING COUNCILMEMBER COMMENT TIME. SHE COMMENDED COUNCILMEMBER BAUER FOR CALLING A POINT OF ORDER WITH REGARD TO THE USE OF CITY RESOURCES FOR CAMPAIGN PURPOSES. SHE SUGGESTED THAT COUNCILMEMBER BEAL BE INVESTIGATED TO DETERMINE WHETHER A VIOLATION OF ETHICS RULES OR THE CAMPAIGN FINANCE LAWS OCCURRED.

CARL HUMPHREY OF 524 S. CHESTNUT THANKED MAYOR HOLLISTER FOR INVITING HIM TO HIS VICTORY CELEBRATION LAST TUESDAY EVENING. HE THANKED LPD FOR THEIR EXPEDIENT RESPONSE TO A CALL FROM HIM.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT RACIAL DISCRIMINATION IS INVOLVED WITH THE CONTROVERSY SURROUNDING THE VENDING OF FOOD AT THE CAPITAL CITY RIVERFEST. SHE SAID THAT THERE SHOULD BE OPEN COMPETITION AMONG LANSING FOOD VENDORS AT THE RIVERFEST. THE RENTAL COST FOR STALLS AT THE EVENT IS TOO HIGH.

BILL HODGE OF 1246 DAKIN STATED THAT HE WILL BE A WRITE-IN CANDIDATE FOR COUNCILMEMBER AT-LARGE IN THE NOVEMBER GENERAL ELECTION.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SAID THAT HE IS ELATED TO SEE MAYOR HOLLISTER IMPLEMENT SOME OF THE RECOMMENDATIONS OF THE MARCH FOR JUSTICE BY INCREASING THE DIVERSITY IN THE LFD AND LPD. THE MARCH FOR JUSTICE WILL KEEP UP THEIR EFFORTS UNTIL THEY HAVE HAD SIMILAR AFFECTS ON COUNTY AND STATE GOVERNMENTS.

JAMES MILLER OF 5461 COLUMBIA SAID THAT HE IS AN EMPLOYEE OF THE LANSING CENTER, ALONG WITH FIVE OTHER EMPLOYEES HERE TONIGHT TO PROTEST THE RUN AROUND THEY HAVE BEEN GETTING WITH REGARD TO LABOR PRACTICES THAT THEY BELIEVE ARE UNFAIR. THEY DO NOT WANT TO SEE THEMSELVES FORCED OUT OF JOBS BECAUSE OF THE INACTION OF OTHERS. THEY HAVE BEEN WORKING FOR 2½ YEARS WITHOUT A CONTRACT.

WILLY WILLIAMS OF 505 W. LENAWEE COMMENTED REGARDING THE PERCENTAGE OF VOTES TAKEN BY CANDIDATES AT THE AUGUST 5, 1997 PRIMARY ELECTION.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO THANKED THE RESIDENTS OF LANSING WHO SIGNED THE CITIZENS REVIEW BOARD PETITIONS. THEY COLLECTED 7,267 SIGNATURES. HE THANKED THE ACLU FOR THEIR ENDORSEMENT AND SUPPORT. HE THANKED ATTORNEY FRED STACKABLE FOR CIRCULATING PETITIONS IN HIS OFFICE, THE PASTORS WHO ALLOWED THE PETITIONS TO BE CIRCULATED IN THEIR CHURCHES, AND COUNCILMEMBER BENAVIDES FOR ALLOWING IT TO BE CIRCULATED AT CRISTO REY COMMUNITY CENTER. THEY FOUND A GREAT DEAL OF BROAD BASED SUPPORT FOR THEIR PETITIONS IN THE COMMUNITY.

ROSA KILLIIPS OF 722 CLEVELAND, DIRECTOR OF THE HISPANIC CULTURAL CENTER, SAID THAT SHE HAS PARTICIPATED AS A FOOD VENDOR AT THE CAPITAL CITY RIVERFEST FOR MANY YEARS. THEY WERE NOT ALLOWED TO BID FOR THE POSITION OF FOOD MANAGER AT THE RIVERFEST, DESPITE THAT, THEY HAVE NEVER DISAGREED WITH THE INCREASE OF FEES THAT HAVE BEEN CHARGED BY BOB GROUCH, SINCE HE TOOK OVER THE FOOD MANAGEMENT. THIS YEAR, HOWEVER, THEY WERE EXCLUDED FROM APPLYING FOR VENDOR PERMITS. SHE ASKED CITY COUNCIL TO INTERCEDE ON THEIR BEHALF IN THIS MATTER.

DELMA LOPEZ OF 1115 BALLARD SAID THAT SHE HAS SERVED ON MANY COMMITTEES AND BOARDS IN LANSING. SHE IS CURRENTLY A MEMBER OF THE BOARD OF THE HISPANIC CULTURAL CENTER. SHE URGED COUNCIL TO INTERVENE IN THIS MATTER BETWEEN THEM AND THE FOOD MANAGER AT RIVERFEST. SHE BELIEVES THEIR EXCLUSION FROM THE FESTIVAL THIS YEAR TO BE RACIALLY MOTIVATED.

LORENZO LOPEZ OF 1145 BALLARD SAID THAT THEY ARE DEMANDING THAT BE ALLOWED TO PARTICIPATE IN THE FREE ENTERPRISE SYSTEM OF THE RIVERFEST CELEBRATION. THEY ARE BEING DENIED EQUAL ACCESS. CITY COUNCIL SHOULD INVESTIGATE THIS ISSUE AND BREAK THE MONOPOLY ON FOOD SERVICE AT THE RIVERFEST.

COUNCIL PRESIDENT BEAL REFERRED THE MATTER OF FOOD VENDOR PERMITS AND STALLS AT THE CAPITAL CITY RIVERFEST TO THE COMMITTEE OF THE WHOLE

DIRK SPILLEMAYER OF 1224 MARIGOLD AVE., REPRESENTING THE EMPLOYEES OF THE LANSING CENTER, SAID THAT IT IS VERY DIFFICULT FOR THEM TO HAVE A REPRESENTATIVE AT THE COMMITTEE OF THE WHOLE MEETINGS ON THURSDAYS, BECAUSE OF THE EVENTS LINING UP FOR THE NEXT FEW WEEKS AT THE LANSING CENTER. THESE ARE NOT JUST LABOR ISSUES, THEY ARE PEOPLE ISSUES. FULL TIME EMPLOYEES AT THE LANSING CENTER EARN BETWEEN \$13,000 AND \$23,000 PER YEAR.

TOM SMITH OF 722 N. MARTIN LUTHER KING, JR. BLVD. CALLED MAYOR HOLLISTER A "FRONT MAN FOR GENERAL MOTORS". GENERAL MOTORS MAKES NO SECRET OF THE FACT THAT THEY CONTROL THE MAYOR AND THE CHAMBER OF COMMERCE.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE BELIEVES



IN THE RIGHT OF FREE SPEECH. HE BELIEVES THAT PRESIDENT BEAL HAD THE RIGHT TO SPEAK HER MIND UNDER COUNCILMEMBER COMMENTS AT LAST WEEK'S MEETING. HE DESCRIBED THE CIRCULATION OF PETITIONS FOR A CITIZENS REVIEW BOARD AS A "BLOODLESS REVOLUTION".

KAY CARTER OF 402 CARRIER SAID THAT 40% OF THE RESIDENTS IN LANSING LIVE ON A FIXED INCOME. SHE ASKED IF IT IS TRUE THAT MAYOR HOLLISTER SPENDS \$10,000 PER MONTH ON AN OKEMOS BASED PUBLIC RELATIONS FIRM. SHE ASKED IF IT IS TRUE THAT 75% OF HIS \$150,000 CAMPAIGN WAR CHEST CAME FROM OUT OF TOWN CONTRIBUTIONS.

FRANK CURTIS "X" ASKED WHAT IS HAPPENING TO LANSING. HOW CAN THE HISPANIC CULTURAL CENTER HAVE BEEN KICKED OUT OF THE RIVERFEST?

DARNELL OLDHAM, SR. OF 3815 BERWICK THANKED THE THOUSANDS OF RESIDENTS WHO SIGNED THE CITIZENS REVIEW BOARD PETITIONS. HE THANKED THE COMMITTEE MEMBERS, SAYING, HE HAS NEVER WORKED WITH SUCH A GREAT GROUP OF PEOPLE WITH SUCH DIVERSITY.

STEPHANIE WHITBECK OF 620 W. IONIA SPOKE REGARDING THE FOOD VENDOR ISSUE AT THE RIVERFEST. THE FOOD STALLS HAVE ALWAYS BEEN ONE OF THE ATTRACTIONS OF THE RIVERFEST THAT DRAWS CROWDS. PEOPLE WOULD NOT COME WITHOUT THE RICHNESS OF THE ETHNIC DIVERSITY. TO HAVE TO FIGHT TO BE PART OF THE RIVERFEST, OR TO HAVE TO PAY \$1,200 FOR A BOOTH IS OUTRAGEOUS.

REX GILLETTE OF 1818 S. WASHINGTON INVITED EVERYONE TO HIS BIRTHDAY PARTY AT FRANCES PARK ON AUGUST 17, 1997 AT 1:00 P.M. HE WILL FURNISH THE MEAT AND PARTICIPANTS SHOULD BRING A DISH TO PASS.

MICHAEL J. SIMON STATED HIS SUPPORT OF COUNCILMEMBER BEAL, BECAUSE SHE IS A LEADER IN THE WOMEN'S MARCH. HE SUPPORTS WOMENS RIGHTS. HE STATED HIS SUPPORT OF THE MARCH FOR JUSTICE AND FOR WORLD PEACE.

ALEXANDER BOLT OF 1230 REO RD. SAID THAT COUNCIL HAS SOLD THE STORM WATER ENTERPRISE FUND ORDINANCE AS A CHARGE FOR STORMWATER RUN OFF. PEOPLE WHO DO NOT HAVE ANY STORMWATER SEWER SYSTEM SHOULD BE GIVEN A 100% CREDIT. THE APPEALS THAT HAVE BEEN BEFORE THE GENERAL SERVICES COMMITTEE SHOULD GET 100% OF THEIR FEES BACK. MEXICAN FOOD HAS ALWAYS BEEN HIS FAVORITE THING AT RIVERFEST.

ALBERTA JORDAN, NO ADDRESS GIVEN, THANKED THE RESIDENTS WHO SIGNED THE PETITIONS FOR THE CITIZENS REVIEW BOARD.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. CRITICIZED COUNCILMEMBERS BAUER, BENAVIDES AND NOVAK, WHO BY THEIR REFUSAL TO VOTE FOR THE OVERRIDE OF MAYOR HOLLISTER'S VETO OF RESOLUTIONS PLACING THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER GENERAL ELECTION BALLOT, HAVE FORCED THE CITY TO ENTER INTO A VERY COSTLY INVESTIGATION BY A HIRED ATTORNEY.

RICHARD M. FISER OF 12100 S. CORK RD. IN MORRICE ASKED CITY COUNCIL TO AMEND THE CHARTER SO THAT THEY MAY HIRE LEGAL COUNSEL WITHOUT HAVING TO BE DEPENDENT ON LEGAL COUNSEL HIRED BY THE MAYOR.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE REPEATED HER PREVIOUS DEMAND THAT MAYOR HOLLISTER PRODUCE THE LETTER FROM THE FEDERAL GOVERNMENT CONFIRMING THE MANDATE THAT HE SAYS EXISTS WITH REGARD TO THE SEWER SEPARATION ISSUE.

## COMMITTEE REPORTS

### CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR REFERRAL:

APPLICATION FOR ONE OF THE TWO REMAINING CITY OF LANSING PER QUOTA "NEW CLASS C LIQUOR LICENSES" FROM KALDI, INC., DBA THE DANCING GOAT COFFEEHOUSE

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE CITY CLERK SUBMITTING NOTICE OF MAYORAL VETO ON RESOLUTION #434, ADOPTED BY THE CITY COUNCIL ON AUGUST 4, 1997, WHICH PLACED LANGUAGE FOR THE REPEAL OF THE STORMWATER ENTERPRISE FUND ON THE NOVEMBER 4, 1997 GENERAL ELECTION BALLOT

REFERRED TO THE COMMITTEE OF THE WHOLE

4. LETTERS FROM THE CITY ATTORNEY RE:

A. MARVIN L. VANEK ET AL V CITY OF LANSING ET AL

RECEIVED AND PLACED ON FILE

B. EDWARD T. HACKER & RICHARD C. HACKER V CITY OF LANSING

RECEIVED AND PLACED ON FILE

C. DAVID SHARP V CITY OF LANSING

RECEIVED AND PLACED ON FILE

5. LETTER FROM THE BOARD OF WATER & LIGHT STATING NO OBJECTION TO THE PAULSON ST. SPECIAL ASSESSMENT FOR PUBLIC IMPROVEMENT IN THE FORM OF CURB & GUTTER AND STORM SEWER

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

6. LETTERS FROM THE MAYOR RE:



A. APPOINTMENT OF ANDREW FREDERICK TO THE BOARD OF ZONING APPEALS FOR A TERM TO EXPIRE ON JUNE 30, 1999

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

B. REAPPOINTMENT OF MARY CLARK TO THE BOARD OF ZONING APPEALS FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

C. APPOINTMENT OF DEBORAH WINFREY-KEENE TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

D. APPOINTMENT OF STEVE MILLER TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE 30, 1999

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

E. APPOINTMENT OF MICHAEL SMITH TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

F. LETTER OF APPRECIATION FROM DAVID R. DICKHAUT, PRESIDENT OF THE FRIENDS OF COOLEY GARDENS

RECEIVED AND PLACED ON FILE

G. LETTER OF APPRECIATION FROM JOE DEFORS ACTING CAPTAIN OF STATION #8 TO THE LANSING FIRE FIGHTERS

RECEIVED AND PLACED ON FILE

H. LETTER OF APPRECIATION FROM STEVE NIKKEL, LANSING COMMUNITY MICRO-ENTERPRISE FUND

RECEIVED AND PLACED ON FILE

I. ADMINISTRATIVE TRANSFER REPORT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

J. REAPPOINTMENT OF LINDA HEADLEY TO THE MEMORIAL REVIEW BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

K. REAPPOINTMENT OF GLADYS BECKWITH TO THE MEMORIAL REVIEW BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

L. NOTICE OF THE SELECTION OF OLDSMOBILE PARK FOR THE ANNUAL NATIONAL ECONOMIC DEVELOPMENT PARTNERSHIP SILVER AWARD FROM THE NATIONAL COUNCIL

FOR URBAN ECONOMIC DEVELOPMENT

RECEIVED AND PLACED ON FILE

## COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. STORMWATER ENTERPRISE FUND APPEALS FILED BY: WALTER RHODES 1427 MCINTYRE CT., JOHN E. HAGEN 3100 E. MT. HOPE, ALVIN & MARION BULLARD

1814 REX ST., DAVE REEVES 6220 GROVENBERG RD., MICHAEL KLINE 318 W. FAIRVIEW, MRS. DENISE ACKER 410 CARRIER ST.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

2. LETTERS IN SUPPORT OF THE CEDAR PARK APARTMENT COMPLEX DEVELOPMENT FROM: MARTIN COMMERCIAL PROPERTIES, INC., LARRY SLOUSE 2101 IRENE ST., LISA EASTMOND 3113 TRAPPERS COVE #2A

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. REQUEST FOR RECOGNITION OF NON-PROFIT STATUS FROM THE "MICHIGAN STATE TROOPERS ASSISTANCE FUND OF 232 N. VERLINDEN AVE., LANSING

REFERRED TO THE CITY ATTORNEY

4. LETTERS FROM CHRISTINE TIMMON RE:

- MARCH FOR JUSTICE
- CSO PROJECT
- CONGRESSWOMAN DEBBIE STABENOW

RECEIVED AND PLACED ON FILE

5. NOTICE FROM THE MICHIGAN MUNICIPAL LEAGUE THAT THEY WILL USE THE CITY OF LANSING MUNICIPAL CIVIL INFRACTIONS ORDINANCE IN A COMPILATION OF SAMPLE ORDINANCES ON THEIR INTERNET WEB PAGE

RECEIVED AND PLACED ON FILE

6. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES OF THE CLOSURE OF A CHILD FOSTER GROUP HOME LICENSED TO PHYLLIS ZIVIC AT 116 N. MAGNOLIA ST.

RECEIVED AND PLACED ON FILE

7. LETTER FROM DAVID AND BRENDA MILLER OF 609 E. PAULSON ST. REQUESTING THAT THEIR NAMES BE REMOVED FROM THE PETITION FOR PUBLIC IMPROVEMENT ON PAULSON ST., AND STATING THEIR PREFERENCE TO HAVE PAULSON ST.



PAVED WITHOUT THE INSTALLATION OF CURB & GUTTER AND STORM SEWER IMPROVEMENTS

REFERRED TO THE PUBLIC SERVICE BOARD

8. SLU-10-97; 5304 Wise Rd., SPECIAL LAND USE PETITION FILED BY THE LANSING CHURCH OF GOD IN CHRIST TO ALLOW FOR THE DEVELOPMENT OF ADDITIONAL CLASSROOMS, OFFICES AND RESTROOMS, ALONG WITH 27 ADDITIONAL PARKING SPACES

REFERRED TO THE MAYOR AND THE PLANNING BOARD

9. LETTER OF THANKS TO THE PLANNING DEPARTMENT FROM TOM ARNOLD, FRED HAMMOND, CHARLES SENATORE, RICHARD KARP, MIKE WARE AND SHANE BROYLES

RECEIVED AND PLACED ON FILE

10. SUSPENSION ITEM FROM COUNCILMEMBER LEEMAN; A LETTER FROM THE HISPANIC CULTURAL CENTER REGARDING THE VENDING OF FOOD ITEMS AT THE RIVERFEST

REFERRED TO THE COMMITTEE OF THE WHOLE

11. SUSPENSION ITEM FROM COUNCILMEMBER LILLY; PETITIONS AND LETTERS IN OPPOSITION TO Z-09-97

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

12. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM EUGENE T. BUCKLEY REGARDING A TRAFFIC VIOLATION HE WAS ISSUED AND THE TRAFFIC CONTROL ORDER THAT SUPPORTS IT

REFERRED TO THE MAYOR THE TRAFFIC BOARD AND THE PUBLIC SAFETY COMMITTEE

13. FROM COUNCILMEMBER ALLEN; A LETTER FROM THE RESIDENTS OF RAVENSWOOD HEIGHTS SUBDIVISION NEIGHBORHOOD ASSOCIATION REQUESTING A RESOLUTION ALLOWING THE REANNEXATION OF THEIR NEIGHBORHOOD TO LANSING CHARTER TOWNSHIP

REFERRED TO THE COMMITTEE OF THE WHOLE

14. FROM COUNCILMEMBER BENAVIDES; A STORMWATER APPEAL FILED BY THOMAS HERNLY FOR 3425 PALMER ST.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

#### **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER BAUER

TO EXCUSE COUNCILMEMBER NOVAK FROM TONIGHTS PROCEEDINGS

CARRIED UNANIMOUSLY

#### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER JONES NOTED THAT 350 UPS EMPLOYEES

OF THE BRANCH ON ENTERPRISE DR. ARE ON STRIKE. ADDITIONALLY UPS HAS A BRANCH AT THE AIRPORT THAT EMPLOYS 150 WORKERS THAT ARE ALSO ON STRIKE. THEY HELD A RALLY TODAY AT THE ENTERPRISE DR. SITE THAT WAS VERY PEACEFUL. THE ACTING CHIEF OF POLICE WAS PRESENT AND NO OUTBREAKS OCCURRED. HOPEFULLY, THIS SPIRIT CONTINUES.

COUNCILMEMBER ALLEN ANNOUNCED THAT ANYONE WHO HAS ONE OF HER YARD SIGNS, THAT HAS NOT YET BEEN PICKET UP, CAN CALL HER AT 394-5776 AND SHE WILL COME AND GET IT.

COUNCILMEMBER LEEMAN COMMENDED THE NEIGHBORHOOD WATCH GROUPS FOR THE SUCCESS OF THE NATIONAL NITE OUT CELEBRATION. HE ATTENDED AS MANY AS HE COULD.

COUNCILMEMBER BAUER SAID THAT THE LIBRARY MILLAGE VOTE LAST TUESDAY REFLECTS A POSITIVE ACHIEVEMENT FOR THE ENTIRE REGION. THIS MEASURE PASSED BY A 2/1 MAJORITY. WE VOTED TO TRUST ONE ANOTHER AND THE REGIONAL LIBRARY SYSTEM. SHE ANNOUNCED THAT NEXT WEEK THERE WILL BE A BRIEF PRESENTATION ON THE UPCOMING OLDSMOBILE CELEBRATION OF THE OCCASION OF THEIR 1ST CENTURY ANNIVERSARY. SHE URGED RESIDENTS TO PARTICIPATE IN THE ACTIVITIES PLANNED FOR THIS EVENT.

COUNCILMEMBER BEAL NOTED THAT TOMORROW IS THE SECOND MEETING OF THE PUBLIC SAFETY COMMITTEE IN WHICH THE ENFORCEMENT OF THE TRUANCY ENFORCEMENT PROGRAM WILL BE DISCUSSED. SHE NOTED THAT HDC INC. HAS DISCLOSED THAT THE CURRENT ZONING FOR THE PARCEL Z-09-97 ALLOWS THEM TO DEVELOP A CINEPLEX ON THAT SITE. THIS WOULD BE A DISASTER FOR GARDNER MIDDLE SCHOOL. WITH REGARD TO THE DEVELOPER WHO APPLIED FOR PERMISSION FOR THE MLK BLVD. DEVELOPMENT, THIS DEVELOPER IS SUING THE CITY OVER THIS DENIAL. COUNCIL NEEDS TO WATCH THIS CASE CAREFULLY TO SEE WHO WINS OUT.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER REMINDED EVERYONE THAT THIS SATURDAY AT THE LANSING MALL IS FAMILY FAIR 1997 FROM 10:00 A.M. TO 3:00 P.M. THERE WILL BE ACTIVITIES FOR THE KIDS, AND REPRESENTATIVES FROM SERVICE AGENCIES WITH INFORMATION FOR THE PARENTS, AS WELL AS FACE PAINTING AND CLOWNS. HE ANNOUNCED THAT THE MEMORIAL REVIEW BOARD WILL MEET THIS WEDNESDAY AT 5:30 P.M. IN THE MAYOR'S CONFERENCE ROOM.

HE STATED HIS APPRECIATION OF THE FACT THAT WE HAVE A FORUM IN WHICH RESIDENTS CAN BRING THEIR GRIEVANCES BEFORE THE CITY COUNCIL AND COUNCIL AND THE ADMINISTRATION CAN USE THE COMMITTEE SYSTEMS AND COMMUNICATIONS PROCESS TO WORK THROUGH PROBLEMS THAT ARE BROUGHT TO US.

**ADJOURNED 9:35 P.M.**  
**MARILYNN SLADE, CITY CLERK**





LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF AUGUST 18, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

ABSENT: NOVAK

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER BENAVIDES

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LEEMAN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LEEMAN; A RESOLUTION AUTHORIZING THE RETENTION OF OUTSIDE LEGAL COUNSEL REGARDING MAYORAL VETO POWER AND THE PLACEMENT OF THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER GENERAL ELECTION BALLOT
2. FROM COUNCILMEMBER ALLEN; A LETTER FROM DAVID R. POE REGARDING TRAFFIC CONDITIONS ON MT. HOPE, PACIFIC, AND SUNNYSIDE
3. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR APPROVAL; FIREWORKS DISPLAY PERMIT; LARRY HOLLY FOR SEPTEMBER 1, 1997 CAPITAL CITY RIVERFEST
4. FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER REGARDING THE REAPPOINTMENT OF MARY MARGARET MURPHY-WOLL TO THE PARK BOARD FOR A TERM TO EXPIRE JUNE 30, 2001
5. FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER REGARDING THE APPOINTMENT OF DON RISTOW THE TO LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY (LEPFA) FOR A TERM TO EXPIRE JUNE 30, 1998
6. FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER REGARDING THE APPOINTMENT OF BOB LEE TO LEPFA FOR A TERM TO EXPIRE JUNE 30, 1998
7. FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER REGARDING THE REAPPOINTMENT OF CYRIL MCGUIRE TO LEPFA FOR A TERM TO EXPIRE JUNE 30, 2000

CARRIED UNANIMOUSLY

LATE ITEMS WILL BE CONSIDERED DURING THE PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES ANNOUNCED THAT A BAND FROM LUXEMBOURG IS PLAYING AT MOORES PARK THIS WEDNESDAY. THEY STILL NEED HOST FAMILIES TO HOUSE THE VISITORS FOR THREE NIGHTS.

COUNCILMEMBER NOVAK ANNOUNCED A CEREMONY ON SUNDAY, BEGINNING AT 10:00 A.M. AT HOLY CROSS, HONORING FATHER CIPRIAN NULEAN.

MR. WIENER ANNOUNCED THAT MONDAY, AUGUST 25, 1997, THE LIFETIME SPORTS SECTION OF THE DEPARTMENT OF PARKS AND RECREATION WILL MOVE TO HILL VOCATIONAL CENTER ON WISE ST. NOTICES REGARDING THIS MOVE WILL BE SENT OUT. THIS MOVE IS NECESSITATED BY RECONSTRUCTION AT FOSTER COMMUNITY CENTER GOING UNDERWAY THIS FALL. HE ANNOUNCED THE CANCELLATION OF THE NEIGHBORHOOD ADVISORY BOARD MEETING. THEY HAVE RESCHEDULED FOR SEPTEMBER 18, 1997.

COUNCILMEMBER LILLY ANNOUNCED THAT TOMORROW AT 5:00 P.M. HE, ALONG WITH MAYOR HOLLISTER, WILL DEDICATE THE HALL OF HONOR AT OLDSMOBILE PARK.

► SPECIAL CEREMONIES

A. PRESENTATION HONORING THE OLDSMOBILE CENTENNIAL ANNIVERSARY CELEBRATION

MR. WIENER ANNOUNCED EVENTS SURROUNDING THE OLDSMOBILE CENTENNIAL CELEBRATION THAT WILL BE TAKING PLACE THROUGHOUT THIS WEEK AND WEEKEND. THIS IS A MAJOR NATIONAL EVENT TAKING PLACE IN DOWNTOWN LANSING THIS WEEK, CULMINATING IN AN ANTIQUE CAR PARADE ON SATURDAY. THEY EXPECT IN EXCESS OF 100,000 PEOPLE TO BE IN THE DOWNTOWN AREA FOR THIS EVENT. THERE WILL BE MANY ACTIVITIES AT OLDSMOBILE PARK INCLUDING MOVIES FRIDAY AND SATURDAY NIGHTS AND A BIRTHDAY PARTY INCLUDING FREE BIRTHDAY CAKE FOR EVERYONE ON SATURDAY. ADDITIONALLY THERE WILL BE EXHIBITS AT THE LANSING CENTER OPEN TO THE PUBLIC AT NO CHARGE. THERE WILL BE ACTIVITIES ALONG THE RIVERFRONT, INCLUDING FOOD SERVICE. HE URGED EVERYONE TO TAKE PART AND ENJOY THE MANY ACTIVITIES GOING ON THROUGHOUT LANSING THIS COMING WEEK.

B. MARC THOMAS, CHAIR OF THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD, ANNOUNCED THE "NAME YOUR GOVERNMENT CHANNEL" CONTEST. THE CABLE



AND TELECOMMUNICATIONS ADVISORY BOARD HAS BEEN MONITORING THE REBUILD OF THE CABLE TELEVISION SYSTEM AND WISHES TO ANNOUNCE TO THE PUBLIC THAT THE CITY'S GOVERNMENT ACCESS CHANNEL WILL NOW BE CHANNEL 12, RATHER THAN CHANNEL 28. PEOPLE INTERESTED IN ENTERING THE "NAME YOUR GOVERNMENT CHANNEL" CONTEST MUST SUBMIT THEIR SUGGESTIONS FOR NAMES AND CALL LETTERS BY FRIDAY, SEPTEMBER 5, 1997 AT 5:00 P.M. THE WINNER WILL RECEIVE DINNER AT THE BLUE COYOTE AND TICKETS TO THE BOARSHEAD THEATER. THIS INFORMATION WILL BE RUN ON CHANNEL 28 FOR SEVERAL DAYS.

C. MEMBERS OF THE TEAM MICHIGAN TRACK CLUB THANKED CITY COUNCIL, KRIS NICHOLOFF, AND DR. CARNEGIE, PRINCIPAL OF SEXTON HIGH SCHOOL, FOR THEIR SUPPORT OF THE TEAM MICHIGAN TRACK PROGRAM. THEY DESCRIBED MR. NICHOLOFF AS A "SILENT HERO" TO THEM, AND THANKED DR. CARNEGIE FOR STICKING HIS NECK OUT AND ALLOWING THEM TO USE THE SEXTON HIGH SCHOOL TRACK FACILITIES.

D. SUZY CARTER OF THE LANSING SAFETY COUNCIL INTRODUCED DAVID PAURILLA OF THE ALLSTATE INSURANCE FOUNDATION WHO HAS PRESENTED A DONATION OF \$4,425.00 TO BE USED FOR THE PURCHASE OF BICYCLE HELMETS IN CONJUNCTION WITH THE CITY OF LANSING UNCLAIMED BICYCLE DISTRIBUTION PROGRAM. COUNCILMEMBER BEAL THANKED THE SAFETY COUNCIL AND THE ALLSTATE FOUNDATION FOR THEIR EFFORTS ON BEHALF OF AND SUPPORT FOR THE CITY.

#### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

##### **► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:**

1. IN CONSIDERATION OF SLU-03-97; 402 S. WASHINGTON; SPECIAL LAND USE PETITION FILED BY SPIRIT LIFE MINISTRIES TO ALLOW FOR THE USE OF THE PROPERTY AS A CHURCH

WILLY WILLIAMS STATED THAT HE HAS BEEN TRYING TO GET CHURCHES TO OPEN THEIR DOORS TO THE HOMELESS FOR OVERNIGHT SHELTERS FOR A COUPLE OF YEARS NOW. HE IS WONDERING IF THESE PLACES USE THEIR STATUS AS A CHURCH TO RECEIVE A TAX BREAK. CHURCHES SHOULD NOT CLOSE AT 5:00 P.M. AND CLOSE THEIR DOORS TO THE HOMELESS AND NEEDY IN THE COMMUNITY.

CHRISTOPHER HAYS, REPRESENTING SPIRIT LIFE CHURCH ASSURED COUNCIL THAT THEY ARE A BONAFIDE MINISTRY. THEY ARE LOOKING TO BE AN ASSET IN THE DOWNTOWN AREA. THEY WILL NOT HINDER ECONOMIC GROWTH. THEY WILL SPUR ECONOMIC GROWTH. BECAUSE THEY WILL REPAIR THIS BUILDING AND MAKE IT A BETTER PLACE. THEY WILL OPERATE A BOOKSTORE SELLING CHRISTIAN BOOKS FROM THEIRS AND OTHER MINISTRIES.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF SLU-04-97; 625 W. SHERIDAN RD., SPECIAL LAND USE PETITION FILED BY PASTOR

NATHANIEL WHITT OF ZION HILL BAPTIST CHURCH TO ALLOW FOR EXPANSION OF THE PARKING LOT FOR THE CHURCH

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

##### **► PUBLIC COMMENT ON LEGISLATIVE MATTERS:**

MELANIE ROGERS OF 409 W. WILLOW SAID THAT SHE IS EXCITED ABOUT THE CITIZENS REVIEW BOARD ISSUE BEING ON THE NOVEMBER BALLOT. WE NEED A BOARD THAT IS INDEPENDENT OF CITY EMPLOYEES AND THAT HAS SOME POWER. WE MUST MAKE SURE THAT IT IS NOT TIED TO THE CITY.

E. CROSLY OF 228 S. FOSTER SAID THAT THERE NEEDS TO BE SEPARATION OF POWERS. MANY PEOPLE IN THE CITY FEEL THAT THEY HAVE BEEN UNFAIRLY TREATED WHEN IT COMES TO DISCRIMINATION BY THE POLICE. THEY FEEL THAT YOU CANNOT TRUST THE POLICE DEPARTMENT TO POLICE THE POLICE. WE MUST FACE THE PUBLIC PERCEPTION THAT THERE IS TOO MUCH POWER PLACED IN TOO FEW HANDS. HE STATED THAT HE HAS HAD PERSONAL PROBLEMS WITH OVER ZEALOUS CODE ENFORCEMENT OFFICERS. WE NEED A SEPARATE CITIZENS REVIEW BOARD.

WILLY WILLIAMS, NO ADDRESS GIVEN, SAID THAT MANY PEOPLE HAVE PROBLEMS DECIDING WHAT IS MANDATED AND WHAT IS NOT. THERE IS ONLY ONE MANDATE; WE MUST CLEAN UP THE RIVER. THERE ARE MANY SOLUTIONS AS TO HOW TO DO SO. WE COULD HAVE EVERYONE LEAVE TOWN. WE COULD HAVE EVERYONE STOP FLUSHING THEIR TOILETS. WE COULD BUILD ADDITIONAL WASTEWATER TREATMENT CENTERS. WE COULD HAVE EVERYONE BUILD SEPTIC TANKS IN THEIR BACK YARDS. WE CHOSE TO SEPARATE THE SEWER WATER FROM THE STORM AND RAIN WATER. THIS IS OUR SOLUTION. NOW WE HAVE TO CHOOSE WAYS TO PAY FOR OUR SOLUTION. MOST OF THE PEOPLE WHO COME TO THESE MEETINGS AND OPPOSE THE STORM WATER ENTERPRISE FUND ORDINANCE WANT TO DO AWAY WITH THE FEE, AND NOT REPLACE THE FUNDING SOURCE. MAYBE THESE PEOPLE SHOULD JUST WRITE LETTERS TO THIS EFFECT.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH STATED HER OPPOSITION TO THE ORDINANCE BEING PROPOSED BY COUNCILMEMBER BENAVIDES ON BEHALF OF THE COMMITTEE ON GENERAL SERVICES TONIGHT. THIS WOULD BE A "KANGAROO COURT" AGAINST THE POLICE DEPARTMENT. COMPLAINTS OF POLICE BRUTALITY ARE CIVIL RIGHTS VIOLATIONS AND SHOULD BE TAKEN TO FEDERAL COURT AND CLAIMS ENTERED. HOPEFULLY, LANSING WILL NOT BECOME LIKE DETROIT, WHERE POLICE REFUSED TO COME INTO NEIGHBORHOODS BECAUSE THEY WERE BEING ACCUSED OF DISCRIMINATION, AND RESIDENTS BECAME PRISONERS IN THEIR OWN HOMES.

GORDON WILSON OF 4700 BRISTOL ST. SAID THAT HE HAS LIVED IN LANSING AND HAD TO FIGHT DISCRIMINATION HIS ENTIRE LIFE. IN THE 1960'S THE HUMAN RELATIONS DEPARTMENT HAD SOME POWER, BUT THEY LOST IT IN THE 1970'S. THIS IS WHY THE CITIZENS REVIEW BOARD IS NECESSARY, AND IT IS ALSO WHY THE ORDINANCE PROPOSED



BY COUNCILMEMBER BENAVIDES WILL NOT WORK. THE HUMAN RELATIONS AND COMMUNITY SERVICES DIRECTOR IS NOT A GOOD PERSON FOR THIS KIND OF JOB. SOMEONE NEEDS TO RID THE CITY OF HIM. THIS ORDINANCE IS A DAY LATE AND A DOLLAR SHORT.

FRANK CURTIS "X" SAID THAT THIS HAS ALL HAPPENED FOR A REASON.

HELEN FISER OF 12100 S. CORK RD., IN MORRICE, MI SAID THAT THE GENERAL SERVICES COMMITTEE REVIEW OF THE STORMWATER ENTERPRISE FUND APPEALS LAST WEEK WAS A CONFUSING AND CUMBERSOME PROCESS. THIS COMMITTEE SHOULD BE DISCHARGED, AND THESE APPEALS SHOULD BE HEARD BY THE COMMITTEE OF THE WHOLE. THE APPELLANTS ARE NOT BEING ALLOWED TO STATE THEIR APPEALS IN THEIR ENTIRETY.

DARNELL OLDHAM, SR. OF 3815 BERWICK SAID THAT HE, TOO, MOVED HERE FROM DETROIT 19 YEARS AGO. THE MOST DANGEROUS THING ON THE STREETS OF DETROIT AT THAT TIME WAS THE STRESS TEAM FROM THE POLICE DEPARTMENT. THERE IS A NEED FOR THE CITIZENS REVIEW BOARD, AND THAT IS TO BRING ACCOUNTABILITY TO LPD.

LEWIS BOZEK OF 419 CLARENDON RD., E. LANSING, DESCRIBED THE EVENTS SURROUNDING THE DEATH OF HIS SON. HE THANKED ALL OF THE PEOPLE WHO SIGNED THE CITIZENS REVIEW BOARD PETITIONS.

LLOYD TEETS OF 116 E. ELM ST. ASKED WHY, AFTER A YEAR AND A HALF, THE CITY IS LOOKING AT WAYS OF HANDLING COMPLAINTS. AFTER THE MARCH FOR JUSTICE GATHERED OVER 7,200 SIGNATURES, WHY WOULD COUNCILMEMBER BENAVIDES INTRODUCE AN ORDINANCE DOING AN END RUN AROUND THE PEOPLE? HE (BENAVIDES) HAS BEEN ON THIS COUNCIL LONGER THAN ANYONE ELSE, AND PROBABLY AS LONG AS ALL OF THE OTHER COUNCILMEMBERS ADDED TOGETHER. IF HE TRULY WANTS TO AFFECT THE COMPLAINT PROCESS, WHY DOESN'T HE JUMP ON BOARD WITH THE MARCH FOR JUSTICE? THIS ORDINANCE VIOLATES THE CHARTER, BECAUSE THE CHARTER ALLOWS THE BOARD OF POLICE COMMISSIONERS TO RECEIVE AND FORMULATE A RESPONSE TO COMPLAINTS AGAINST POLICE OFFICERS. THE SAME IS TRUE OF THE BOARD OF FIRE COMMISSIONERS.

REVEREND LESTER. STONE OF 1603 W. KALAMAZOO SAID THAT THE WORDING OF THE ORDINANCE BEING INTRODUCED BY COUNCILMEMBER BENAVIDES TONIGHT ALLOWS THE HUMAN RELATIONS AND COMMUNITY SERVICES DEPARTMENT TO DO MORE THAN JUST REFER COMPLAINTS TO OTHER AGENCIES. IT CALLS FOR THEM TO DO A PRELIMINARY FACT FINDING REVIEW PRIOR TO THE REFERRAL. HE IS SERIOUSLY CONCERNED ABOUT THIS, BECAUSE COMPLAINTS COULD BE TAKEN, FOUND TO BE INVALID BY THE DEPARTMENT, AND REMOVED FROM THE REST OF THE NECESSARY STEPS FOR INVESTIGATION. THIS IS A CLEAR VIOLATION OF THE CHARTER. IT REMOVES POWER FROM THE BOARD OF POLICE COMMISSIONERS, THE BOARD OF FIRE COMMISSIONERS, AND POTENTIALLY FROM THE CITIZENS REVIEW BOARD. HE IS CONCERNED THAT THIS HAS CROPPED UP ONE WEEK AFTER THEY HAVE HAD THEIR CITIZENS REVIEW BOARD PETITIONS CERTIFIED BY THE CITY CLERK. HE FINDS THIS STRANGE AND

CURIOUS. IT WOULD HAVE BEEN CONSIDERATE IF SOMEONE HAD INFORMED THEIR GROUP THAT THIS ACTION WAS BEING CONSIDERED.

COUNCIL PRESIDENT BEAL ASKED CITY ATTORNEY SMIERTKA TO EXPLAIN THE INTENT OF THE ORDINANCE BEING INTRODUCED TONIGHT.

CITY ATTORNEY, JIM SMIERTKA, SAID THAT THE INTENT OF THIS ORDINANCE IS TO PROVIDE A CENTRAL LOCATION TO RECEIVE COMPLAINTS AND TO REFER THEM TO THE APPROPRIATE BODY. IF THE COMPLAINT IS AGAINST A POLICE OFFICER, IT WOULD BE REFERRED TO THE BOARD OF POLICE COMMISSIONERS (UNDER THE CURRENT CHARTER) AND POTENTIALLY TO THE CITIZENS REVIEW BOARD (IF THAT MEASURE IS ADOPTED BY THE ELECTORATE), IF THE COMPLAINT IS AGAINST AN EMPLOYEE OF THE FIRE DEPARTMENT, THE COMPLAINT WOULD BE REFERRED TO THE BOARD OF FIRE COMMISSIONERS. THIS IS WHAT THE PRELIMINARY FACT FINDING REVIEW REFERS TO. THIS ORDINANCE HAS BEEN UNDER DISCUSSION IN THE COMMITTEE OF THE WHOLE, SINCE JULY, AND HAS BEEN IN THE DRAFTING PROCESS SINCE IT'S INCEPTION AT THAT TIME. THIS PROCEDURE WOULD NOT TAKE THE PLACE OF A CITIZENS REVIEW BOARD, IT MERELY RECEIVES THE COMPLAINT AND SENDS IT ALONG TO THE PROPER BODY.

DEL MAYNARD OF 2017 CULVER SAID THAT HE WORKED FOR THE STATE OF MICHIGAN FOR SEVERAL YEARS. HE HAS SEEN LAYER UPON LAYER OF BUREAUCRACY. THE ORDINANCE UNDER INTRODUCTION TONIGHT IS A MISTAKE. IT WILL CREATE ANOTHER LAYER OF ACTIONS, WHICH CONSTITUTES MORE BUREAUCRACY. HE PROTESTED THE EXPENDITURE OF FUNDS THAT WILL GO FOR A SPECIAL ASSISTANT CITY ATTORNEY TO INVESTIGATE THE SCOPE OF THE MAYOR'S VETO POWER WITH REGARD TO THE RESOLUTIONS PLACING LANGUAGE FOR THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE NOVEMBER 1997 GENERAL ELECTION BALLOT. HE WOULD RATHER SEE THIS MONEY SPENT ON ROAD REPAIR. CITY COUNCILMEMBERS MUST FACE THE FACT THAT THEY HAVE LOST ON THIS ISSUE. IF THEY ARE CONVINCED THAT THERE ARE PROBLEMS WITH THE CHARTER LANGUAGE, THEY SHOULD OFFER IT AS A PROJECT TO THE LAW STUDENTS AT COOLEY AND MSU AND ALLOW THEM TO MAKE THE DETERMINATION AS TO WHETHER EVERY MEANS EVERY ALL OF THE TIME. THERE ARE MANY OTHER WORTHWHILE THINGS THIS MONEY COULD BE USED FOR.

## LEGISLATIVE MATTERS RESOLUTIONS

### RESOLUTION #454

BY THE DEVELOPMENT & PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED ANN BRAZEAU, 5777 BOISE ILE, HASLETT, TO THE ECONOMIC DEVELOPMENT CORPORATION/TAX INCREMENT FINANCE AUTHORITY BOARD, FOR A TERM TO EXPIRE JUNE 30, 2000; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;



NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF ANN BRAZEAU TO THE ECONOMIC DEVELOPMENT CORPORATION/TAX INCREMENT FINANCE AUTHORITY BOARD FOR A TERM TO EXPIRE JUNE 30, 2000.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #455**

BY THE DEVELOPMENT & PLANNING COMMITTEE

Z-10-97

516 TISDALE STREET

"B" RESIDENTIAL TO "J" PARKING DISTRICT

WHEREAS, ART BARYAMES, REPRESENTING BARYAMES CLEANERS, HAS REQUESTED TO REZONE THE PROPERTY AT 516 TISDALE STREET, MORE PARTICULARLY DESCRIBED AS:

LOTS 104 & 107 ADDMORE PARK, CITY OF LANSING, INGHAM COUNTY, MICHIGAN,

FROM "B" RESIDENTIAL TO "J" PARKING DISTRICT IN ORDER TO REMOVE THE EXISTING BRICK FARM HOUSE BUILT IN 1873 AND CONSTRUCT A PARKING LOT FOR EMPLOYEES, AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING ON THIS REQUEST ON MAY 6, 1997 AT WHICH TIME MR. BARYAMES SPOKE PRESENTING HIS PETITION, AND

WHEREAS, THE PLANNING BOARD AT THEIR MEETING OF JUNE 3, 1997 UNANIMOUSLY (6-0) RECOMMENDED DENIAL OF THE REQUEST FINDING, BASED ON TESTIMONY, EVIDENCE AND THE STAFF REPORT, THAT THE DEVELOPMENT IS INCONSISTENT WITH THE MASTER PLAN AND THE ADJACENT LAND USES. THE BOARD BELIEVES THAT THE PROPOSED REZONING WOULD ESTABLISH A NEGATIVE PRECEDENT ALLOWING FOR COMMERCIAL ENCROACHMENT INTO RESIDENTIAL NEIGHBORHOODS. FINALLY, WHEN THE BOARD AND CITY COUNCIL LAST ADDRESSED THE EXPANSION OF BARYAMES CLEANERS AT THIS SITE IN 1986, IT WAS CLEARLY UNDERSTOOD THAT PARKING WAS ONLY ACCEPTABLE ON PARCELS WHERE PARKING ALREADY EXISTED ON THE OPPOSING BLOCK FACE. IN THE CURRENT REQUEST, PARKING WOULD OPPOSE OCCUPIED SINGLE FAMILY DWELLINGS AND WOULD BE A NEGATIVE INFLUENCE ON THE NEIGHBORHOOD, AND

WHEREAS, THE HISTORIC DISTRICT COMMISSION REVIEWED THE EXISTING STRUCTURE AND PROPOSAL AND AT THEIR MEETING OF MAY 1, 1997 UNANIMOUSLY (7-0) RECOMMENDED DENIAL OF THE REQUEST, AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING FOR THIS REQUEST ON AUGUST 4, 1997, AND

WHEREAS, THE COUNCIL COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT OF THE PLANNING BOARD, UNANIMOUSLY (3-0) CONCURRED WITH THE REPORT OF THE PLANNING BOARD,

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF LANSING HEREBY DENIES THE REQUEST BY ART BARYAMES, REPRESENTING BARYAMES CLEANERS, TO REZONE THE PROPERTY AT 516 TISDALE STREET, AS DESCRIBED ABOVE, FROM "B" RESIDENTIAL TO "J" PARKING DISTRICT.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #456**

BY THE DEVELOPMENT & PLANNING COMMITTEE

RESOLVED BY THE CITY COUNCIL OF

THE CITY OF LANSING

RESOLUTION ESTABLISHING

BROWNFIELD REDEVELOPMENT AUTHORITY

CITY OF LANSING

COUNTIES OF INGHAM AND EATON, MICHIGAN

WHEREAS, THE BROWNFIELD REDEVELOPMENT ACT, ACT 381 OF THE PUBLIC ACTS OF MICHIGAN OF 1996 ("ACT 381"), AUTHORIZES THE CITY COUNCIL OF THE CITY OF LANSING ("CITY COUNCIL") AFTER CONDUCTING A PUBLIC HEARING DULY NOTICED AS REQUIRED BY ACT 381 TO ESTABLISH A BROWNFIELD REDEVELOPMENT AUTHORITY AND TO DESIGNATE THE BOUNDARIES OF A BROWNFIELD REDEVELOPMENT ZONE ("ZONE"); AND

WHEREAS, THE CITY COUNCIL HAS HELD A DULY NOTICED PUBLIC HEARING ON JULY 28, 1997, AS REQUIRED BY ACT 381 REGARDING THE ESTABLISHMENT OF AN AUTHORITY AND CREATION OF A ZONE AT WHICH TIME ALL PERSONS REQUIRED BY ACT 381 WERE GIVEN AN OPPORTUNITY TO BE HEARD; AND

WHEREAS, NOT MORE THAN 30 DAYS HAVE PASSED SINCE THE PUBLIC HEARING.

RESOLVED:

- ▶ 1. THAT AN AUTHORITY TO BE KNOWN AS THE CITY OF LANSING BROWNFIELD REDEVELOPMENT AUTHORITY (THE "AUTHORITY") IS HEREBY ESTABLISHED PURSUANT TO ACT 381 TO PROMOTE THE REVITALIZATION OF ENVIRONMENTALLY DISTRESSED AREAS OF THE CITY OF LANSING ("CITY").
- ▶ 2. THAT THE BOUNDARIES OF THE ZONE THAT SHALL BE UNDER THE JURISDICTION OF THE AUTHORITY SHALL BE THE JURISDICTIONAL LIMITS OF THE CITY AND THE ZONE SHALL INCLUDE ALL PROPERTY WITHIN SUCH LIMITS.
- ▶ 3. THAT THE AUTHORITY SHALL BE A PUBLIC BODY CORPORATE POSSESSING ALL OF THE POWERS NECESSARY TO CARRY OUT ITS PURPOSE AS PROVIDED IN THIS RESOLUTION AND ACT 381.
- ▶ 4. THAT THE AUTHORITY SHALL BE UNDER THE SUPERVISION AND CONTROL OF A BOARD (THE "BOARD"). THE BOARD SHALL CONSIST OF THE TRUSTEES OF THE BOARD OF THE TAX INCREMENT



FINANCE AUTHORITY OF THE CITY OF LANSING ESTABLISHED PURSUANT TO ACT 450, PUBLIC ACTS OF MICHIGAN, 1980, AS AMENDED. MEMBERS OF THE BOARD SHALL SERVE FOR TERMS THAT COINCIDE WITH THE TERMS OF THE TRUSTEES OF THE TAX INCREMENT FINANCE AUTHORITY OF THE CITY OF LANSING AND SHALL TAKE AN OATH OF OFFICE PRIOR TO ASSUMING THEIR DUTIES. THE BOARD SHALL ELECT ONE OF THEIR MEMBERS AS CHAIRPERSON AND ANOTHER AS VICE CHAIRPERSON.

- ▶ 5. THAT THE BOARD ADOPT BYLAWS GOVERNING ITS AFFAIRS, SUBJECT TO PRIOR APPROVAL OF THE CITY COUNCIL, AND SHALL HAVE SUCH POWER, AUTHORITY, DUTIES AND OBLIGATIONS AS PROVIDED IN THIS RESOLUTION AND ACT 381.
- ▶ 6. THAT THE BOARD MAY, WITH THE PRIOR APPROVAL OF THE CITY COUNCIL, APPOINT A DIRECTOR WHO SHALL NOT BE A MEMBER OF THE BOARD. IF APPOINTED, SAID DIRECTOR SHALL FURNISH A BOND IN THE AMOUNT OF \$10,000.00 PAYABLE TO THE AUTHORITY FOR ITS USE AND BENEFIT WHICH BOND SHALL BE FILED WITH THE CITY CLERK.
- ▶ 7. THAT UPON ADOPTION, A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROMPTLY FILED BY THE CITY CLERK WITH THE MICHIGAN SECRETARY OF STATE.
- ▶ 8. THAT ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith SHALL BE AND THE SAME ARE HEREBY RESCINDED TO THE EXTENT OF SUCH CONFLICT.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #457**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED LINDA HEADLEY, 2709 NORWICH ROAD, TO THE MEMORIAL REVIEW BOARD, FOR A TERM TO EXPIRE JUNE, 2001; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF LINDA HEADLEY TO THE MEMORIAL REVIEW BOARD FOR A TERM TO EXPIRE JUNE, 2001.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #458**  
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED GLADYS BECKWITH, 428 SOUTH JENISON, TO THE MEMORIAL REVIEW BOARD, FOR A TERM TO EXPIRE JUNE, 2001; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF GLADYS BECKWITH TO THE MEMORIAL REVIEW BOARD FOR A TERM TO EXPIRE JUNE, 2001.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**THE MOTION FOR PASSAGE OF THIS RESOLUTION FAILED**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON AUGUST 14, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF JAY AND MARY COREY, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-30304-131-8; COMMONLY KNOWN AS 3411 SANDHURST; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-30304-131-8 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF JAY AND MARY COREY OF LANSING WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-30304-131-8 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-30304-131-8 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES, LILLY



**THE MOTION FOR PASSAGE OF THIS RESOLUTION FAILED  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING**

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON AUGUST 14, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF DAWN FOSTER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 2304-36-205-251-5; COMMONLY KNOWN AS 4022 WOODCREEK; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 2304-36-205-251-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF DAWN FOSTER OF LANSING WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 2304-36-205-251-5 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 2304-36-205-251-5 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES, LILLY

AT THE REQUEST OF COUNCILMEMBER BENAVIDES THE PREVIOUS TWO ITEMS WERE REFERRED TO THE COMMITTEE OF THE WHOLE

**RESOLUTION #459  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING**

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY 97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER AND OLDSMOBILE PARK AND BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE CAPITAL AREA UNITED WAY FOR THE UNITED WAY KICK OFF AT THE OLDSMOBILE PARK ON AUGUST 26, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$1,000.00 TO ACCOUNT #101-173901-741200-0, FOR OLDSMOBILE PARK RENTAL COSTS.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #460  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING**

WHEREAS, ON DECEMBER 19, 1996 CITY COUNCIL ADOPTED POLICY IN REGARD TO APPROPRIATE USE OF THE COMMUNITY USE AND COMMUNITY PROMOTION ACCOUNTS WITHIN THE FY 97 GENERAL ADMINISTRATION BUDGET, AND

WHEREAS, USE OF THE COMMUNITY PROMOTION ACCOUNT WAS LIMITED TO THE PROVISION OF FINANCIAL ASSISTANCE OF UP TO 100%, FOR USE OF PARK FACILITIES AND EQUIPMENT, TO GROUPS WHOSE PRIMARY PURPOSE IS TO IMPROVE LANSING NEIGHBORHOODS OR SERVE LANSING RESIDENTS OR SUPPORT ACTIVITIES TARGETING AREA YOUTH, AND

WHEREAS, THE CITY'S FY 98 BUDGET INCLUDES \$20,000 WITHIN THE GENERAL ADMINISTRATION COMMUNITY PROMOTION ACCOUNT; AND

WHEREAS, THIS AMOUNT WAS ALSO APPROPRIATED IN FY 97 AND RESULTED IN RESIDUAL FUNDS OF SOME \$4,666; AND

WHEREAS, COUNCIL CARRIED FORWARD THESE RESIDUAL FUNDS AND PROVIDED FOR \$2,000 FOR HERSHEY TRACK AND FIELD'S PARTICIPATION IN THE TEEN MICHIGAN, U.S.A. AWARDS PROGRAM, AND

WHEREAS, THE COMMUNITY PROMOTIONS ACCOUNT WAS USED IN FY 96 AND FY 97 TO SUPPORT A PORTION OF THE COST OF THE "FEST EVE" CELEBRATION; AND

WHEREAS, THE INTENDED USE OF FUNDS FOR FY 98 AS PROPOSED BY THE MAYOR, INCLUDED CONTINUED USE OF \$5,000 FROM THE COMMUNITY PROMOTIONS ACCOUNT TO SUPPORT "FEST EVE".

NOW THEREFORE BE IT RESOLVED THAT THE ADMINISTRATION BE AUTHORIZED TO CHARGE UP TO \$5,000 IN EXPENSES RELATED TO THE "FEST EVE", AND \$2,000 FOR THE TEEN MICHIGAN U.S.A. AWARDS PROGRAM, TO THE COMMUNITY PROMOTIONS ACCOUNT, ACCOUNT NUMBER 101-173901-741289-0, AND

BE IT FURTHER RESOLVED THAT EXISTING POLICY WITH REGARD TO THE COMMUNITY PROMOTION ACCOUNT BE AMENDED TO PROVIDE FOR THE CONTINUED USE OF THIS ACCOUNT TO SUPPORT FEST EVE

BY COUNCILMEMBER BENAVIDES



CARRIED UNANIMOUSLY

**RESOLUTION #461**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR CITY LICENSE, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES RECOMMENDS THAT THE LICENSE BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR CITY LICENSE:

HEALTH CLUB: Fitness USA, 3201 MALL COURT

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #462**

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MICHIGAN STATE TROOPERS ASSISTANCE FUND HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES MICHIGAN STATE TROOPERS ASSISTANCE FUND AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #463**

BY THE COMMITTEE OF PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE COMMITTEE OF PUBLIC SERVICE, HELD ON AUGUST 13, 1997, A FULL QUORUM BEING PRESENT, THE COMMITTEE CONSIDERED THE ADOPTION OF A NEW RULE FOR STORMWATER BILLS;

WHEREAS, THE CONSTRUCTION OF CONCRETE CURB AND GUTTER AND/OR STORM SEWER FACILITATES THE CITY'S IMPLEMENTATION OF BEST MANAGEMENT PRACTICES WHICH REDUCES THE POLLUTANTS BEING TRANSPORTED TO RIVERS THAT FLOW THROUGH THE CITY;

WHEREAS, CHAPTER 1052.12 OF THE CODIFIED ORDINANCES OF LANSING STATES THAT THE PUBLIC SERVICE DIRECTOR IS AUTHORIZED TO PROMULGATE REGULATIONS TO PREVENT OR REDUCE THE DISCHARGE OF POLLUTANTS INTO THE STORMWATER SYSTEM;

WHEREAS, THE CITY WANTS TO CONTINUE ITS LONG STANDING POLICY OF SPECIAL ASSESSING BENEFITTED PROPERTY OWNERS FOR INSTALLATION OF CURB AND GUTTER AND STORM SEWER IMPROVEMENTS;

WHEREAS, THE CITY HAS ESTABLISHED A STORMWATER FEE BY ORDINANCE #925 ON OCTOBER 9, 1995;

WHEREAS, THIS PROPOSED RULE CHANGE IS TO ALLEVIATE THE FINANCIAL BURDEN OF HAVING BOTH A STORM WATER FEE AND A SPECIAL ASSESSMENT PAYABLE IN ANY GIVEN YEAR; AND

NOW THEREFORE, BE IT RESOLVED THAT IT IS THE COMMITTEE'S RESOLVE TO APPROVE THE NEW RULE PROMULGATED BY THE DIRECTOR OF PUBLIC SERVICE;

BE IT FURTHER RESOLVED IF ANY INDIVIDUAL PARCEL THAT HAS A SPECIAL ASSESSMENT FOR CURB AND GUTTER AND/OR STORM SEWER CURRENTLY IN PLACE IN JULY OF ANY YEAR, THE FOLLOWING DECEMBER STORM WATER BILL WILL REFLECT UP TO 100% CREDIT OF THE PROPERTY OWNER'S STORMWATER FEE, TO OFF-SET ALL OR PART OF THE SPECIAL ASSESSMENT LEVIED TO PAY FOR SAID IMPROVEMENTS;

BE IT FINALLY RESOLVED THAT THE REGULATIONS PROMULGATED HEREUNDER SHALL BE EFFECTIVE TEN DAYS AFTER APPROVAL BY COUNCIL.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBER BEAL

**RESOLUTION #464**

BY COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

**PUBLIC IMPROVEMENT IV**

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JUNE 9, 1997, THE CITY ASSESSOR HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLL NUMBER 332 FOR CURB AND GUTTER, AND STORM SEWER, AS FOLLOWS:

**PROJECT TITLE:**

DORIS STREET RECONSTRUCTION P.S. #76034.-SCHAFFER ROAD TO HILLIARD ROAD.

**PROPERTY BENEFITTED CURB AND GUTTER:**  
ALL LANDS FRONTING ON DORIS STREET.



PROPERTY BENEFITTED STORM SEWER:  
ALL LANDS FRONTING ON DORIS STREET.

ENGINEER'S ESTIMATE: COST OF IMPROVEMENTS:

ASSESSMENT ROLL #332	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$421.29	\$9,529.52
STORM SEWER	\$1,702.23	\$27,956.02
OTHER COSTS	<u>\$31,949.69</u>	<u>\$0.00</u>
TOTAL COSTS	\$34,073.21	\$37,485.54

WHEREAS, THIS PROJECT WAS INITIATED AFTER THE IMPLEMENTATION OF THE STORM WATER FEE.

NOW THEREFOR BE IT RESOLVED, THAT SPECIAL ASSESSMENT ROLL NUMBER 332 AS RETURNED BY THE CITY ASSESSOR, BE RATIFIED AND CONFIRMED, AND THE MAYOR IS AUTHORIZED TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING THE CITY TREASURER TO COLLECT SAID TAX WITHIN 90 DAYS AFTER THE APPROVAL OF THE ASSESSMENT ROLL.

BE IT FURTHER RESOLVED, THAT THE CITY COUNCIL WILL WORK WITH THE ADMINISTRATION TO DEVELOP A POLICY REGARDING SPECIAL ASSESSMENTS AND THAT ALL CHANGES RESULTING FROM THIS POLICY BE EFFECTIVE FOR THIS PROJECT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

RESOLUTION #465

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL APPROVED AT THEIR REGULAR MEETING HELD ON DECEMBER 23, 1996 OUR ORDINANCE No. 961, COMMONLY REFERRED TO AS THE HAZARDOUS MATERIALS COST RECOVERY ORDINANCE; AND

WHEREAS, SECTION 1612.04(F) PROVIDES THAT THE CITY COUNCIL MAY, BY RESOLUTION ADOPT A SCHEDULE OF THE COST INCLUDED WITHIN THE EXPENSE OF AN EMERGENCY RESPONSE UNDER THE HAZARDOUS MATERIALS COST RECOVERY ORDINANCE; AND

WHEREAS, THE LANSING CITY COUNCIL HAS REVIEWED THE PROPOSED HAZMAT FEE SCHEDULE:

- 1. PERSONNEL - PERSONNEL COSTS SHALL BE CALCULATED AS THE ACTUAL LABOR EXPENSES INCLUDING ELIGIBLE BACKFILL, OVERTIME RATES, AND FRINGE BENEFITS IN ACCORDANCE WITH THE FIRE DEPARTMENT'S PRE-EXISTING LABOR CONTRACTS AND PAY SCHEDULES. IN THE EVENT THE INCIDENT REQUIRES THAT THE LANSING FIRE DEPARTMENT UTILIZE FIRE, POLICE AND PUBLIC SERVICE OR OTHER MUTUAL AID AGREEMENTS, THE LANSING FIRE DEPARTMENT WILL RECOVER COSTS FOR OTHER AGENCIES. THESE COSTS

WILL CONSIST OF THE ACTUAL LABOR EXPENSES INCLUDING ELIGIBLE BACKFILL, OVERTIME RATES, AND FRINGE BENEFITS IN ACCORDANCE WITH THE MUTUAL AID AGENCY'S ACTUAL LABOR EXPENSES INCLUDING ELIGIBLE BACKFILL AND OVERTIME RATES.

VOLUNTEER FIREFIGHTERS - IN THE EVENT VOLUNTEER FIREFIGHTERS FROM A MUTUAL AID AGENCY ARE UTILIZED, THE RATE SHALL BE \$10/HOUR FOR FIREFIGHTERS, AND \$15/HOUR FOR OFFICERS.

- 2. APPARATUS - COSTS SHALL BE CALCULATED ACCORDING TO THE FOLLOWING SCHEDULE: MILEAGE AND FUEL RATES ARE INCLUDED IN THE HOURLY EQUIPMENT RATES. COSTS FOR FIRE MUTUAL AID AGENCIES WILL ALSO BE CALCULATED USING THIS SCHEDULE. ADDITIONAL, NON-FIRE DEPARTMENT EQUIPMENT SHALL BE COMPENSATED ACCORDING TO THAT AGENCY, DEPARTMENT, OR PRIVATE CONTRACTOR'S SCHEDULE OF CHARGES.

FIRE ENGINE	\$100/HOUR
LADDER TRUCK	\$150/HOUR
AMBULANCE STANDBY	\$50/HOUR -

(IN THE EVENT OF AN ACTUAL TRANSPORT OF A PATIENT TO A MEDICAL FACILITY, THE PATIENT WILL BE BILLED.)

WATER TENDERS	\$65/HOUR
BRUSH ENGINES	
AND/OR ALL TERRAIN VEHICLES (ATV)	\$30/HOUR
SUPPORT UNITS - (THIS IS A SUPPLEMENTAL UNIT IN SUPPORT OF THE HAZARDOUS MATERIALS UNIT, I.E. AIR UNIT, MOBILE COMMAND POSTS, ETC.)	\$25/HOUR
HAZARDOUS MATERIALS UNIT	\$150/HOUR
CRASH - SPECIALIZED AIRCRAFT CRASH UNIT	\$150/HOUR
RESCUE UNIT - EQUIPPED FOR SPECIAL RESCUE OPERATIONS SUCH AS HEAVY RESCUE UNITS, CONFINED SPACE RESCUE UNITS, ETC.	\$80/HOUR

- 3. MILEAGE RATES - MILEAGE IS PAID FOR VEHICLES WHICH ARE NOT ELIGIBLE FOR HOURLY RATE COMPENSATION. PAYMENT RATES ARE "WET RATES" - ALL FUEL, OIL, INSURANCE, MAINTENANCE AND REPAIR, AND OTHER COSTS ARE INCLUDED IN THE RATE.

CARS	\$.68/MILE
PICK-UPS	\$.65/MILE
COMMAND UNITS	\$.33/MILE

- 4. SUPPLIES - CONSUMABLE SUPPLIES SHALL BE BILLED AT THE ACTUAL REPLACEMENT COST. GENERAL GUIDELINES - ALL COSTS SHALL BE SUBMITTED UTILIZING LFD PROVIDED FORMS.



(SEE ATTACHED SAMPLE) ADDITIONAL DOCUMENTATION SHALL BE SUBMITTED IF REQUESTED.

- 5. INDIRECT COSTS - BILLED IN ACCORDANCE WITH THE CITY OF LANSING'S INDIRECT COST PLAN.

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL HEREBY APPROVES THE AFORE-RELATED HAZMAT COST RECOVERY FEE SCHEDULE ESTABLISHING THE SCHEDULE OF COST INCLUDING WITHIN THE EXPENSE OF AN EMERGENCY RESPONSE;

BE IT FINALLY RESOLVED, THAT THE AFORE-ESTABLISHED RATES AND COSTS SHALL APPLY TO THE SCHEDULE OF COSTS PURSUANT TO THE LANSING CODE OF ORDINANCES, THAT BEING CHAPTER 1612.01, ET. SEQ.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #466

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY COUNCIL MAJORITY INTENDS TO INITIATE A COURT CHALLENGE RELATIVE TO THE POWER OF THE MAYOR UNDER THE LANSING CITY CHARTER TO VETO THE COUNCIL'S DECISION TO PLACE THE QUESTION OF THE REPEAL OF ORDINANCE NO. 925 (STORMWATER ENTERPRISE FUND) ON THE NOVEMBER BALLOT; AND

WHEREAS, SUCH LITIGATION MAY ALSO INVOLVE THE LEGALITY OF PLACING SUCH AN ISSUE ON THE BALLOT; AND

WHEREAS, THE CITY ATTORNEY HAS INDICATED THAT THERE IS NO CLEAR AUTHORITY IN THE CHARTER AUTHORIZING THE HIRING OF OUTSIDE LEGAL COUNSEL BY THE CITY COUNCIL; HOWEVER, BASED ON THE PROPOSITION THAT ANY SUCH LITIGATION WOULD PLACE THE CITY ATTORNEY IN A SITUATION OF DEFENDING ADVERSE INTERESTS, AND FURTHER BASED ON THE MODEL UTILIZED BY THE MICHIGAN ATTORNEY GENERAL, THE CITY ATTORNEY HAS AGREED TO PROVIDE THE CITY COUNCIL WITH AN OUTSIDE LAW FIRM TO ADVOCATE IN LITIGATING THE CITY COUNCIL'S POSITION ON THE TWO ISSUES REFERENCED ABOVE;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LAW FIRM OF REED, STOVER AND O'CONNOR, P.C., IS HEREBY APPOINTED SPECIAL ASSISTANT CITY ATTORNEY FOR THE PURPOSE OF ADVOCATING THE CITY COUNCIL MAJORITY'S POSITION IN LITIGATION OVER THE ISSUES OF (1) THE MAYOR'S VETO POWER RELATED TO THE PLACING OF THE STORMWATER ENTERPRISE FUND REPEAL ON THE NOVEMBER BALLOT, AND (2) THE LEGALITY OF PLACING THE PROPOSED STORMWATER ENTERPRISE FUND REPEAL ORDINANCE ON THE BALLOT; AND

BE IT FINALLY RESOLVED THAT THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000) IS HEREBY TRANSFERRED FROM THE GENERAL ADMINISTRATION GENERAL CONTINGENCY ACCOUNT NO. 101 173901 992001 00000, TO THE

LAW DEPARTMENT PROFESSIONAL SERVICES ACCOUNT NO. 101 172900 743000 00000.

BY COUNCILMEMBER LEEMAN

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

BY COUNCILMEMBER NOVAK

TO DIVIDE THE QUESTION BY DIVIDING THE VOTE ON THE RESOLUTION BETWEEN THE FIRST AND SECOND RESOLVED CLAUSES TO ALLOW FOR AN INDIVIDUAL VOTE ON EACH CLAUSE

THE MOTION FOR ADOPTION OF THE RESOLUTION THROUGH THE "NOW, THEREFORE, BE IT RESOLVED" CLAUSE WAS PASSED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY

NAYS: COUNCILMEMBERS BAUER, BENAVIDES, NOVAK

THE MOTION FOR ADOPTION OF THE "BE IT FINALLY RESOLVED" CLAUSE WAS PASSED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, JONES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BAUER, BENAVIDES

#### ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 240,  
ADDING SECTION 240.01  
DEPARTMENT OF HUMAN RELATIONS  
AND COMMUNITY SERVICES

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION, 240.01, CITIZEN COMPLAINTS CONCERNING THE CONDUCT OF CITY OFFICERS OR EMPLOYEES, FOR THE PURPOSE OF PROVIDING THAT THE HUMAN RELATIONS AND COMMUNITY SERVICE DEPARTMENT BE THE INITIAL INTAKE LOCATION FOR ALL EMPLOYEE-CONDUCT COMPLAINTS, AND THAT IT PERFORM A PRELIMINARY FACT-FINDING REVIEW BEFORE REFERRAL TO OTHER OFFICERS, DEPARTMENTS, BOARDS, AGENCIES OR AUTHORITIES, AND TO FURTHER PROVIDE THAT THE DEPARTMENT ADOPT ADMINISTRATIVE RULES RELATED TO THE RECEIPT, FACT-FINDING REVIEW AND REFERRAL OF EMPLOYEE CONDUCT COMPLAINTS, WAS INTRODUCED BY COUNCILMEMBER SEPTEMBER 2, 1997 AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES

#### RESOLUTION #467

RESOLUTION SETTING PUBLIC HEARING  
BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, SEPTEMBER 2,



1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION, 240.01 CITIZEN COMPLAINTS CONCERNING THE CONDUCT OF CITY OFFICERS OR EMPLOYEES, FOR THE PURPOSE OF PROVIDING THAT THE HUMAN RELATIONS AND COMMUNITY SERVICE DEPARTMENT BE THE INITIAL INTAKE LOCATION FOR ALL EMPLOYEE-CONDUCT COMPLAINTS, AND THAT IT PERFORM A PRELIMINARY FACT-FINDING REVIEW BEFORE REFERRAL TO OTHER OFFICERS, DEPARTMENTS, BOARDS, AGENCIES OR AUTHORITIES, AND TO FURTHER PROVIDE THAT THE DEPARTMENT ADOPT ADMINISTRATIVE RULES RELATED TO THE RECEIPT, FACT-FINDING REVIEW AND REFERRAL OF EMPLOYEE CONDUCT COMPLAINTS

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-08-97; 3500 N. M.L. KING BLVD., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-08-97; 3500 N. M.L. KING BLVD., BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

BY COUNCILMEMBER LILLY

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

### ORDINANCE #2414

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS: TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER:

Z-8-97, 3500 N. M.L. KING BLVD.,

PARCEL NUMBERS:

PART OF PPN 3301 -05-1 01 -001

LEGAL DESCRIPTION:

NE 1/4 OF NE 1/4, EXCEPT E 16.5 FT OF S 400 FT & EXCEPT JONES LAKE AND ALL LANDS LYING WITHIN 100' OF THE WATER'S EDGE OF JONES LAKE, SEC 5 T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

FROM "A" RESIDENTIAL TO "H" LT. INDUSTRIAL DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER LILLY

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY



BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-11-97; 615 AND 617 E. MICHIGAN AVE., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-11-97; 615 AND 617 E. MICHIGAN AVE., BE NOW PASSED

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: ALLEN

ABSENT: NONE

#### ORDINANCE #2415

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS: TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER:

Z-11-97, 615 AND 617 E. MICHIGAN AVE.

PARCEL NUMBERS:

PPNs 3301-16-277-241, -251

LEGAL DESCRIPTION:

LOT 27 AND 28, ASSESSORS PLAT 36 OF  
BLOCK 243 ORIGINAL PLAT CITY OF  
LANSING INGHAM COUNTY MICHIGAN

FROM "H" LT. INDUSTRIAL TO "G-1" BUSINESS DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

#### **OTHER BUSINESS**

##### ▶ PUBLIC COMMENT ON CITY RELATED MATTERS

GORDON WILSON OF 4700 BRISTOL ST. THANKED EVERYONE WHO HELPED HIM WITH HIS CAMPAIGN, EVERYONE WHO VOTED FOR HIM, AND EVERYONE WHO LET HIM PUT SIGNS IN THEIR YARDS. HE ASKED WHAT "WORLD CLASS CITY" WE ARE MODELING OURSELVES AFTER. HE ADVISED RESIDENTS NOT ALLOW BIG LABOR AND BIG BUSINESS TO DICTATE THE WAY THEY VOTE. HE HOPES THAT CITIZENS DO NOT ALLOW BIG LABOR AND BIG UNIONS TO BUY THIS ELECTION.

WILLIE WILLIAMS, NO ADDRESS GIVEN, SAID THAT PEOPLE ON COUNCIL WHO ARE GOING TO GIVE POLITICAL SPEECHES SHOULD HAVE TO SIGN IN ON THE BLUE SHEET AND GIVE THEIR SPEECHES UNDER PUBLIC COMMENT ON CITY RELATED MATTERS. THE REQUIREMENT THAT SPEAKERS GIVE THEIR ADDRESS, AND THE TIME ALLOTTED TO THEM TO SPEAK, SHOULD BE CONSISTENT. THE CHARTER SAYS THAT THE PUBLIC MUST DO WHAT THE PRESIDENT DIRECTS, DURING THESE MEETINGS. IF SHE TELLS SOMEONE TO GIVE THEIR ADDRESS, THEY SHOULD DO SO. HE ASKED HOW ONE GOES ABOUT GETTING AN ISSUE IN FRONT OF THE COMMITTEE OF THE WHOLE.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT THE HOUSES LOCATED AT 525, 521 AND 535 CAPITOL AVE. THAT MRS. WHITBECK AND THE HISTORIC DISTRICT COMMISSION ARE ATTEMPTING TO PRESERVE ARE NOTHING BUT OLD RELICS. THEY ARE EYE SORES AND SHOULD BE DEMOLISHED TO MAKE WAY FOR UPPER INCOME HIGH RISES. SHE WOULD LIKE TO LIVE IN A NICE PENTHOUSE APARTMENT.

LEWIS BOZEK OF 419 CLARENDON RD., IN E. LANSING THANKED THE PUBLIC FOR THE SUPPORT OF THEIR EFFORTS TO PLACE THE CITIZENS REVIEW BOARD ISSUE ON THE NOVEMBER GENERAL ELECTION BALLOT. HE MET A LOT OF PEOPLE IN THE PROCESS OF COLLECTING THESE PETITIONS. HE URGED EVERYONE WHO HAS HELPED THEM SO FAR, TO CONTINUE TO SUPPORT THEM IN THEIR FIGHT.

HELEN FISER OF 12100 S. CORK RD. ASKED FOR INFORMATION ON THE FREEDOM OF INFORMATION ACT REQUEST SHE SUBMITTED. SHE IS ATTEMPTING TO GET A COPY OF THE LETTER FROM THE FEDERAL GOVERNMENT CONFIRMING THE MANDATE WITH REGARD TO THE CSO PROJECT.

REVEREND LESTER D. STONE OF FRIENDSHIP BAPTIST CHURCH THANKED COUNCILMEMBERS FOR CLARIFYING THE ISSUE SURROUNDING THE ORDINANCE FOR INTRODUCTION TONIGHT. THE ARTICLE IN THE NEWSPAPER GAVE THE



PERCEPTION THAT THERE WAS AN INTENT ON THE PART OF CITY COUNCIL TO PUT IN PLACE A COMPLAINT PROCEDURE RESOLVING THE ISSUES THAT THE MARCH FOR JUSTICE HAVE BEEN WORKING ON. HE ASKED COUNCILMEMBERS TO WAIT UNTIL AFTER THE NOVEMBER ELECTION TO DECIDE WHETHER THEY SHOULD PASS THE ORDINANCE THEY WILL INTRODUCE TONIGHT.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SAID THAT THEIR GROUP HAS BEEN COMING AND SPEAKING TO COUNCIL FOR MONTHS ABOUT THE FLAWS IN THE COMPLAINT PROCESS. SINCE THE TIME THAT THEY SUBMITTED THEIR RECOMMENDATIONS, EVERYTHING THE ADMINISTRATION HAS DONE HAS BEEN DESIGNED TO PLACE A BAND-AID, STOP GAP FIX ON THE PROBLEMS IDENTIFIED IN THOSE RECOMMENDATIONS. THIS WILL NOT WORK. HE ASKED WHY IT IS NECESSARY FOR THE HUMAN RELATIONS DEPARTMENT TO MAKE A PRELIMINARY FACT FINDING REVIEW? THERE IS NO NEED FOR THIS PROVISION IN THE ORDINANCE. THERE IS NO WAY TO MAKE THIS DEPARTMENT AS STRONG AS IT ONCE WAS.

MICHAEL J. SIMON OF 310 SEYMOUR SAID THAT HE HOPES TO MARCH WITH THE MARCH FOR JUSTICE. HE STATED THAT HE BELIEVES THAT THE BLACKS, MEXICANS, AND GAYS HAVE BEEN DISCRIMINATED AGAINST. HE IS INTERESTED IN HEALTH CARE ISSUES, AS WELL AS THE NEW TRANSPORTATION CENTER BUILDING AND WOULD LIKE TO SEE A NEW SHOPPING MALL BUILT IN LANSING.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. THANKED EVERYONE WHO VOTED FOR HIM. HE NOTED THAT HE DID NOT SPEND ANY MONEY ON HIS CAMPAIGN, AND IT IS CLEAR THAT IF HE HAD, HE WOULD HAVE HAD A GOOD CHANCE. HE OPPOSES THE CITIZENS REVIEW BOARD PROPOSAL AND SAID THAT IT SHOULD BE COMPARED TO SIMILAR PROPOSALS IN OTHER CITIES. THIS CITY, HE SAID, IS BEHIND THE TIMES TECHNOLOGICALLY SPEAKING.

FRANK CURTIS "X" SAID THAT HE IS PROUD OF HIMSELF AND OF HIS FAMILY HISTORY. HE HAS EIGHT SONS. HE SAID THAT THE POWER GIVEN TO POLICE NEEDS TO BE CURBED. POLICE THINK OF THEMSELVES AS A PRIVATE ARMY.

MIKE PARKER, BUSINESS REPRESENTATIVE WITH TEAMSTERS LOCAL #580 SAID THAT HE IS HERE TONIGHT ON BEHALF OF 400 TEAMSTER EMPLOYEES OF UPS IN LANSING WHO ARE ON STRIKE. HE APOLOGIZED TO THE CUSTOMERS OF UPS WHO ARE BEING ADVERSELY AFFECTED BY THE STRIKE. HE EXPLAINED THAT 60% OF THEIR WORK FORCE IS PART TIME. THE ENTRY LEVEL WAGE RATE HAS NOT BEEN INCREASED SINCE 1982, AND THEIR HEALTH CARE COVERAGE IS BEING REMOVED. ADDITIONALLY, UPS IS TRYING TO REMOVE THE 150 LB. WEIGHT LIMIT ON THE PACKAGES THAT THEIR WORKERS ARE EXPECTED TO SORT. THESE WORKERS SORT 1,200 TO 1,500 PACKAGES PER HOUR. UPS IS ALSO ATTEMPTING TO TAKE CONTROL OF THE EMPLOYEES PENSION FUND, WHICH IS BETTER FUNDED THAN THE AVERAGE PENSION FUND IN THIS COUNTRY.

ALBERTA JORDAN, NO ADDRESS GIVEN, REPORTED BEING IN AN ACCIDENT LAST TUESDAY.

ED SIMMER OF 2609 DIER SAID THE CITIZENS WANT

ACCOUNTABILITY IN THE POLICE DEPARTMENT. THERE SHOULD NEVER HAVE BEEN A "LOST TEAR GAS CANISTER" LEFT AT THE SITE OF THE MELLING FORGE TEAR GAS INCIDENT. THEY SHOULD HAVE HAD AN INVENTORY OF WHAT THEY TOOK OUT WITH THEM AND WHAT THEY REPORTED BACK IN WITH.

MIKE WEST OF 528 S. CHARLES SPOKE REGARDING THE POP WARNER YOUTH FOOTBALL LEAGUE. THEY ARE HAVING A SCRIMMAGE IN SEPTEMBER. HE ASKED COUNCIL TO HELP THEM SPONSOR THEIR TOURNAMENT. THIS IS A NEEDED SERVICE FOR THESE KIDS. THE TOURNAMENT THAT IS PLANNED WILL BRING COMMERCE INTO THE AREA. THE PARENTS AND CHILDREN WHO WILL ATTEND WILL PURCHASE HOTEL ROOMS AND HOSPITALITY SERVICES IN LANSING. PEOPLE INTERESTED IN DONATING TO THE TOURNAMENT MAY CALL 482-5864 OR 322-6065.

## COMMITTEE REPORTS

### RESOLUTION #468

#### REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-8-97, 3500 NORTH MARTIN LUTHER KING BOULEVARD FROM "A-1" RESIDENTIAL TO "H" LIGHT INDUSTRIAL DISTRICT;

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED AND THAT THE Z-8-97 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

### RESOLUTION #469

#### REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-11-97, 615 AND 617 EAST MICHIGAN AVENUE FROM "H" LIGHT INDUSTRIAL TO "G-1" BUSINESS DISTRICT;

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AS FILED AND THAT THE Z-11-97 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.



CARRIED UNANIMOUSLY

### CITY OFFICER & BOARD REPORTS

#### 1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

#### 2. LETTERS FROM THE MAYOR RE:

A. APPOINTMENT OF DULLES COPEDGE TO THE PUBLIC SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. TRANSFER OF FUNDS; PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPT., PUBLIC SERVICE DEPT.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. FY 1998 ADMINISTRATIVE TRANSFER REPORT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. LETTER OF OPPOSITION TO THE PROPOSED CEDAR PARK APARTMENT DEVELOPMENT

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

E. LETTERS IN SUPPORT OF THE PROPOSED CEDAR PARK APARTMENT DEVELOPMENT

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

F. PARKING REGULATION CHANGE REQUEST; MAPLE ST.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

G. PARKING REGULATION CHANGE REQUEST; N. WALNUT PARKING METERS

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

H. PARKING REGULATION CHANGE REQUEST; GRAND AVE., KALAMAZOO ST. AND LENAWEE ST.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

I. TRAFFIC CONTROL REQUEST; PENNSYLVANIA AVE., SHIAWASSEE ST., EASTERN HIGH SCHOOL

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

J. PARKING REGULATION CHANGE REQUEST; INVERNESS AVE.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

K. PARKING REGULATION CHANGE REQUEST WILSON AVE.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

L. LETTER OF APPRECIATION FROM PAM BELLAMY PH.D., DIRECTOR OF PRE-COLLEGE PROGRAMS TO JOHN STAFFORD OF LFD

RECEIVED AND PLACED ON FILE

M. LETTER OF APPRECIATION FROM PHILIP C. DEAN, FERRIS DEVELOPMENT TO THE PLANNING DEPARTMENT

RECEIVED AND PLACED ON FILE

N. LETTER OF APPRECIATION FROM EMMA R. BERRY TO THE LPD

RECEIVED AND PLACED ON FILE

O. GRANT APPLICATION; MICHIGAN LAND TRUST FUND

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

P. SUSPENSION ITEM FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR APPROVAL; FIREWORKS DISPLAY PERMIT; LARRY HOLLY FOR SEPTEMBER 1, 1997 CAPITAL CITY RIVERFEST

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

Q. SUSPENSION ITEM FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER REGARDING THE REAPPOINTMENT OF MARY MARGARET MURPHY-WOLL TO THE PARK BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

R. SUSPENSION ITEM FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER REGARDING THE APPOINTMENT OF DON RISTOW TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY (LEPFA) FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

S. SUSPENSION ITEM FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER REGARDING THE APPOINTMENT OF BOB LEE TO LEPFA FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

T. SUSPENSION ITEM FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER REGARDING THE REAPPOINTMENT OF CYRIL MCGUIRE TO LEPFA FOR A TERM TO EXPIRE JUNE 30, 2000

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

U. REAPPOINTMENT OF PHILIP ALDERFER TO THE PARK



BOARD FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTERS FROM CHRISTINE TIMMON RE:

- RIVERFEST FOOD VENDORS
- PROTESTING DEVELOPMENT OF APARTMENT COMPLEXES ON THE S. SIDE
- RETENTION OF OUTSIDE LEGAL COUNCIL REGARDING MAYORAL VETO POWER
- LANSING CENTER LABOR ISSUES

RECEIVED AND PLACED ON FILE

2. LETTER FROM DIANNE BYRUM SUBMITTING ESTIMATED REVENUE SHARING PAYMENTS TO LOCAL GOVERNMENTS

RECEIVED AND PLACED ON FILE

3. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES OF PERMIT #976137 FOR CONSTRUCTION OF A SEWERAGE SYSTEM ISSUED TO THE CITY OF LANSING FOR COMBINED SEWER RELOCATION AT SEXTON HIGH SCHOOL

RECEIVED AND PLACED ON FILE

4. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF DENIAL OF APPLICATION FOR RENEWAL OF OPERATING LICENSE FOR DAGGETT SAND AND GRAVEL INC., TYPE III LANDFILL

RECEIVED AND PLACED ON FILE

5. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF APPLICATION FOR A PERMIT FOR CONSTRUCTION IN A FLOODPLAIN FILED BY D.L. KESLER & SONS FOR CONSTRUCTION IN THE SYCAMORE CREEK

RECEIVED AND PLACED ON FILE

6. STORMWATER ENTERPRISE FEE APPEALS FROM: THOMAS R. HERNLY 3425 PALMER ST., JONATHAN N. WATERS 3317 FELT ST., WILLIAM H. SCHWAN 2514 AFTON PL.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

7. LETTER FROM THE GREATER LANSING AREA TRANSITIONAL HOUSING NETWORK REGARDING FACILITIES THEY OPERATE AND SERVICES THEY OFFER

RECEIVED AND PLACED ON FILE

8. REQUEST FOR NON-PROFIT STATUS FROM THE GREATER LANSING NON-PROFIT HOUSING CORPORATION

REFERRED TO THE CITY ATTORNEY

9. APPLICATION FOR NAMING AND RENAMING MEMORIALS; RENAMING THE KINGSLEY COMMUNITY CENTER TO THE RICHARD LETTS COMMUNITY CENTER

REFERRED TO THE MEMORIAL REVIEW BOARD

10. LETTER FROM THE MICHIGAN MUNICIPAL LEAGUE SUBMITTING THEIR 1997-98 PROPOSED LEGISLATIVE POLICIES

RECEIVED AND PLACED ON FILE

11. LETTER FROM THE GREATER LANSING LABOR COUNCIL REGARDING THE COUNCIL'S INVESTIGATION OF THE MELLING FORGE TEAR GAS INCIDENT ON MAY 29, 1997

REFERRED TO THE COMMITTEE OF THE WHOLE

12. LETTER FROM DEBBIE LUCAS OF 500 DORIS ST. REQUESTING THAT HILLIARD ST. BE A DEAD END AT DORIS ST.

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

13. LATE ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM DAVID R. POE REGARDING TRAFFIC CONDITIONS ON MT. HOPE, PACIFIC, AND SUNNYSIDE

REFERRED TO THE MAYOR, THE TRAFFIC BOARD, AND THE COMMITTEE ON PUBLIC SAFETY

### MOTION OF EXCUSED ABSENCE

BY COUNCILMEMBER BENAVIDES

TO EXCUSE COUNCILMEMBER NOVAK FROM TONIGHTS PROCEEDINGS

CARRIED UNANIMOUSLY

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BEAL ANNOUNCED THE CANCELLATION OF THE REGULARLY SCHEDULED COMMITTEE OF THE WHOLE MEETING FOR THIS WEEK.

COUNCILMEMBER LEEMAN THANKED COUNCILMEMBER BAUER AND HER HUSBAND, DOUG, FOR PUTTING ON THE SLIDE SHOW OF THEIR VISIT TO OUR SISTER CITY, ST. PETERSBURG, RUSSIA. HE ASKED MR. WIENER WHAT TYPE OF PARKING ARRANGEMENTS HAVE BEEN MADE ON MICHIGAN AVE. FOR THE OLDSMOBILE CENTENNIAL CELEBRATION.

### MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

MR. WIENER SAID THAT THERE WILL BE A LOT OF PEOPLE COMING INTO THE DOWNTOWN AREA. PARKING WILL BE ONE OF THE PROBLEMS, THERE IS NO WAY TO AVOID IT. THERE

WILL BE DETOURS AROUND CERTAIN AREAS. THERE HAVE BEEN NO SPECIFIC SOLUTIONS PROVIDED. PEOPLE SHOULD CHECK THEIR NEWSPAPER TO SEE WHICH LOTS WILL BE CLOSED. HE ASKED FOR THE PATIENCE OF THE PUBLIC, AND THAT THEY BEAR WITH US AND RECOGNIZE THAT THIS IS A VERY GOOD CAUSE.

LIZA ESTLUND OLSON NOTED THAT PEOPLE SHOULD BE AWARE OF THE CIRCLE AROUND THE CITY THAT WILL BE HAPPENING ON THURSDAY MORNING AT 9:30 THEY WILL COME FROM THE OLDSMOBILE PARKING LOT AND MAKE A CIRCLE AROUND THE CITY. PLEASE BE AWARE OF THIS ACTIVITY, AND THAT IT WILL CAUSE MANY STREETS TO BE CLOSED.

COUNCILMEMBER BEAL ASKED WHAT ARRANGEMENTS HAVE BEEN MADE FOR THE CITY MARKET MERCHANTS.

MRS. ESTLUND OLSON ANSWERED THAT THEY HAVE BEEN WORKING WITH THE MARKET VENDORS, AND THAT SHIAWASSEE ST. WILL BE OPEN TO ACCESS THE MARKET AS WELL AS ROMA BAKERY.

**ADJOURNED 10:00 P.M.**

**MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF AUGUST 25, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: ALLEN, BAUER, BEAL, BENAVIDES, JONES,  
LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER BENAVIDES

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF AUGUST 4, AND AUGUST 11, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER ALLEN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER ALLEN; A LETTER FROM BEATRICE SHULTZ OF 225 E. JOLLY RD. IN OPPOSITION TO PRD-02-97, PLANNED RESIDENTIAL DEVELOPMENT AT JOLLY-CEGAR AND SKOOG CRT.

2. FROM COUNCILMEMBER ALLEN A LETTER AND PETITION SUBMITTED BY RONALD PREAMORE OF 4220 CHRISTIANSEN RD. AND SIGNED BY 10 RESIDENTS OF CHRISTIANSEN RD. REGARDING THE UNSAFE CONDITION OF THEIR STREET

3. FROM COUNCILMEMBER ALLEN; STORMWATER APPEAL FROM TRACY SMITH AT 6243 HILLIARD RD.

4. FROM COUNCILMEMBER ALLEN; A RESOLUTION AUTHORIZING RECOGNITION OF NON-PROFIT STATUS FOR THE EVERETT FOOTBALL TOUCHDOWN CLUB

5. FROM COUNCILMEMBER JONES; A RESOLUTION AUTHORIZING THE APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS TO THE BLACKHAWKS YOUTH FOOTBALL LEAGUE

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

MAYOR HOLLISTER ANNOUNCED THAT TOMORROW, AUGUST 26, 1997, BEGINNING AT 8:30 A.M. AT THE LANSING CENTER, THE CONSULTANTS ENGAGED TO STUDY THE CSO PROJECT AND THE STORM WATER ENTERPRISE FUND ORDINANCE, WILL BEGIN A 4 DAY REVIEW OF THE DEBT, DEVELOPMENT STRATEGY, FINANCING, AND IMPLEMENTATION OF THE CSO SEPARATION PROCESS. THIS IS A CRITICAL PART OF THE TASK OF UNTANGLING THE CONTROVERSY. TOMORROW IS THE ORIENTATION AND IMPLEMENTATION MEETING. THE SCHEDULE OF MEETINGS AND AGENDAS WILL BE BROADCAST ON CHANNEL 28 AND WILL ALSO BE AVAILABLE BY CALLING THE CITY COUNCIL OFFICE, OR THE MAYOR'S OFFICE. HE URGED THE PUBLIC TO BE A PART OF THIS PROCESS SO THAT WE CAN BRING CLOSURE TO THIS ISSUE.

HE ANNOUNCED THAT HE WILL BRING A SUMMARY OF EVENTS CELEBRATED LAST WEEK AT THE OLDSMOBILE CENTENNIAL CELEBRATION. THEY ESTIMATE THAT 150,000 VISITORS FROM AROUND THE COUNTRY AND THE WORLD PARTICIPATED IN THIS 100TH BIRTHDAY PARTY FOR OLDSMOBILE. HE HAD DINNER WITH 90 JOURNALISTS FROM THE AROUND THE COUNTRY THAT WERE VERY ENTHUSIASTIC ABOUT EVERYTHING ABOUT OUR CITY FROM; THE LANSING CENTER TO OLDSMOBILE PARK, FROM THE POLICE DEPARTMENT TO THE GUIDED TOURS THAT WERE AVAILABLE. THIS WAS A GOOD NEWS STORY FOR LANSING THAT SHOULD HAVE A WONDERFUL ECONOMIC VALUE, AS WELL. BUSINESSES THROUGHOUT THE CITY REPORTED INCREASES IN SALES. MA AHH'S, IN DOWNTOWN LANSING, REPORTED THAT THEY EXPERIENCED 5 TIMES THEIR NORMAL VOLUME OF BUSINESS. THE SIDESTREET DELI SOLD OUT OF FOOD AS DID DIMITRI'S AND KEWPEE'S. MICHIGANIA REPORTED A GREAT RESPONSE. PRELIMINARY ESTIMATES COULD PUT US AS HIGH AS \$4,000,000 TO \$6,000,000 IN ECONOMIC BENEFIT. MR. ROCK AND THE REMAINDER OF THE ORGANIZERS OF THIS EXTRAVAGANZA INDICATED TO HIM THAT THEY WANTED TO COME BACK TO LANSING FOR MORE EVENTS. THE CITY OWES A DEBT OF SUPPORT TO THE POLICE DEPARTMENT, FIRE DEPARTMENT, PARKS & RECREATION DEPARTMENT AND PUBLIC SERVICE DEPARTMENT, AS WELL AS THE VOLUNTEERS WHO MADE THIS PARTY SUCH A TREMENDOUS SUCCESS FOR LANSING. OLDSMOBILE ANNOUNCED ON SATURDAY THAT THE ALLEGRA WILL CONTINUE TO BE PRODUCED IN LANSING.

COUNCILMEMBER JONES ANNOUNCED THAT CITIZENS WISHING TO ATTEND THE CSO MEETINGS WILL NOT HAVE TO PAY FOR PARKING. PARKING WILL BE PROVIDED AT THE BACK OF THE LANSING CENTER LOT.



COUNCILMEMBER ALLEN THANKED MAYOR HOLLISTER FOR HIS PART IN MAKING THE OLDSMOBILE CENTENNIAL SUCH A SUCCESSFUL CELEBRATION.

► SPECIAL CEREMONIES

A. MAYOR HOLLISTER, ALONG WITH JENNIFER GRAU INTRODUCED PARTICIPANTS OF THE "NEIGHBORHOODS "N" BLOOM" FLOWER CONTEST AND CONGRATULATED THE WINNERS; KIPLING BLVD. WATCH, NORTH LANSING COMMUNITY ASSOCIATION, OLD TOWN NEIGHBORHOOD ASSOCIATION, THE MAIN STREET NEIGHBORHOOD ASSOCIATION, NEIGHBORS UNITED IN ACTION, AND THE SMITH AVE. NEIGHBORHOOD WATCH. SHE THANKED THE LANSING NEIGHBORHOOD HOUSING ASSOCIATION FOR THEIR FINANCIAL ASSISTANCE, AS WELL AS KIM KAUFFMAN PHOTOGRAPHY, LITTLE CAESARS, GIORGIO'S, RICHTERS, SMITH FLORAL, JOHN HENRY, VAN PEENANS, LAKE LANSING RD. MEIJER, AND CITY EMPLOYEES, AND VOLUNTEERS WHO DONATED THEIR TIME, OR FIT THIS PROJECT INTO THE REST OF THEIR WORK SCHEDULE. SHE THANKED THE CHILDREN OF THE CAPITAL CITY 4-H CLUB WHO SHOWED UP AT 7:30 A.M. TO UNLOAD FLOWERS AND THE LANSING NEIGHBORHOOD COUNCIL WHO COORDINATED THE EVENT.

MAYOR HOLLISTER THANKED MS. GRAU AND SAID THAT THIS IS AN EXAMPLE OF COMMUNITY EMPOWERMENT, AND PEOPLE TAKING CONTROL OF THEIR NEIGHBORHOODS. ACCORDING TO STUDIES DONE IN NEW YORK CITY, THIS IS ONE OF THE INHIBITORS TO CRIME.

COUNCILMEMBER JONES THANKED EVERYONE WHO DEVELOPED ARTHRITIS PLANTING THESE FLOWERS AND THE FIRE STATIONS THAT KEPT THE FLOWERS BLOOMING BY SUPPLYING THEM WITH WATER DURING THE MONTH OF JULY.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF SLU-03-97; 402 S. WASHINGTON, SPECIAL LAND USE PETITION FILED BY SPIRIT LIFE MINISTRIES CHURCH TO ALLOW FOR THE USE OF THE BUILDING AS A CHURCH

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF SLU-04-97; 625 W. SHERIDAN RD., SPECIAL LAND USE PETITION FILED BY PASTOR NATHANIEL WHIT OF ZION HILL BAPTIST CHURCH TO ALLOW FOR EXPANSION OF THEIR PARKING LOT

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

ROBERT DiBLASE OF 531 E. PAULSON SAID THAT WITH THE

ADOPTION OF THE NEW POLICY RELATIVE TO CREDITS BEING ISSUED FOR PUBLIC IMPROVEMENT MATTERS WHERE RESIDENTS ARE BEING BILLED FOR CSO SEPARATION AND THE INSTALLATION OF CURB AND GUTTER AND STORM SEWERS AT THE SAME TIME, HE CAN NOW SUPPORT THE COMPLETION OF THE PUBLIC IMPROVEMENT PROJECT ON PAULSON ST. HE THANKED COUNCILMEMBERS FOR ADOPTING THE POLICY.

JOHN E. WOLF OF 1011 MORRIS AVE. SAID THAT HE DOES NOT SUPPORT THE PAULSON ST. PUBLIC IMPROVEMENT. HE DOES NOT THINK IT WILL INCREASE THE VALUE OF THEIR PROPERTY. THE ONLY PEOPLE TO BENEFIT FROM THIS PROJECT WILL BE THE CITY AND THE CONTRACTOR. HE REQUESTED DENIAL OF THE RESOLUTION.

PAUL WOLCOTT OF 215 REDNER SAID THAT HE HAS BEEN FOLLOWING THE Z-09-97 PROJECT SINCE IT'S INCEPTION. IN ADDITION TO ATTENDING COMMITTEE MEETINGS, HE COLLECTED 466 SIGNATURES OPPOSING THE PROJECTS Z-09-97 AND PRD-02-97. THIS PROJECT WOULD HAVE INCREASED TRAFFIC DENSITY IN THIS NEIGHBORHOOD, AS WELL AS TRAFFIC ACCIDENT POTENTIAL. HE THANKED THE MEMBERS OF THE COMMITTEE THAT RESPONDED TO THE CONCERNS OF THE COMMUNITY, PARTICULARLY COUNCILMEMBER ALLEN. HE ASKED EVERYONE ATTENDING TONIGHT TO OPPOSE THESE PROJECTS TO STAND. APPROXIMATELY 14 PEOPLE STOOD IN A SHOW OF OPPOSITION TO Z-09-97 AND PRD-02-97.

WILLY WILLIAMS OF 505 W. LENAWEE NOTED THAT 466 PEOPLE IN COUNCILMEMBER ALLEN'S WARD VOTED AGAINST Z-09-97 AND PRD-02-97, THIS IS MORE PEOPLE THAN VOTED FROM THIS PRECINCT ON ELECTION DAY.

CHRISTINE TIMMONS OF 335 E. ST. JOE SAID THAT SHE DOES NOT LIVE ON THE SOUTH SIDE, BUT SHE UNDERSTANDS WHY PEOPLE DO NOT WANT THIS MUCH TRAFFIC IN THEIR NEIGHBORHOOD. THERE IS TOO MUCH TRAFFIC AT THIS LOCATION ALREADY.

LLOYD TEETS OF 116 E. ELM ST. STATED HIS SUPPORT FOR THE DENIAL OF Z-09-97. THE CITY CONTINUALLY HELPS DEVELOPERS DEVELOP AND BUILD MORE RENTAL UNITS, BUT THEY ARE DOING NOTHING TO HELP PEOPLE PURCHASE THEIR OWN HOMES IN THE CITY. NINETY PERCENT (90%) OF ALL RENTERS COULD AFFORD TO BUY PROPERTY IF THEY HAD DOWN PAYMENT ASSISTANCE. INTEREST FREE LOANS WOULD PROVIDE THIS ASSISTANCE. FORTY PERCENT (40%) OF ALL SINGLE FAMILY HOMES ARE RENTAL UNITS IN LANSING. ADD TO THIS THE RENTALS IN APARTMENT PROJECTS, AND YOU SEE THAT WE ARE A CITY OF RENTERS. IF WE ARE TO BECOME A WORLD CLASS CAPITOL CITY, ATTRACTING PEOPLE TO LIVE HERE, WE HAVE TO TURN THIS SITUATION AROUND. HE THANKED COUNCILMEMBERS FOR THEIR DENIAL OF THIS PROJECT. HE ASKED THEM TO USE A PERCENTAGE OF CDBG FUNDS AND GRANTS FROM THE FEDERAL GOVERNMENT TO INCREASE HOME OWNERSHIP IN LANSING.

MICHAEL JACOBSON, FROM NOVI, SAID THAT HE IS THE DEVELOPER OF Z-09-97 AND PRD-02-97. IT HAS ALREADY BEEN ESTABLISHED THAT THE USE PROPOSED FOR THE PROPERTY CREATES LESS TRAFFIC DENSITY THAN THE OTHER USES THAT THE CURRENT ZONING ALLOWS. THE DEVELOPMENT THEY ARE PROPOSING WOULD CREATE A



BETTER TRAFFIC CONDITION THAN ANYTHING ELSE THAT COULD BE PLACED ON THIS LAND. ADDITIONALLY, THE PROPOSAL THEY MADE INCLUDES THE ADDITION OF A TRAFFIC CONTROL LANE AT THEIR EXPENSE. STATE LAW PROVIDES THAT THE MASTER PLAN AND ZONING DO NOT HAVE TO BE CONSISTENT. THERE IS AN ISSUE THAT DEMONSTRATES THAT THIS REZONING SHOULD BE PASSED. THAT IS THE NEED FOR AFFORDABLE HOUSING IN LANSING, WHICH IS OUTLINED IN THE MASTER PLAN. THIS COMMUNITY HAS STATED THAT THE JOLLY/CEDAR CORRIDOR IS VERY BUSY AND NEEDS TRAFFIC IMPROVEMENTS, BUT THEY HAVE DONE NOTHING TO SECURE THESE IMPROVEMENTS TO THIS TIME. HE URGED COUNCIL NOT TO DENY THIS REZONING. IT IS PROPER AND APPROPRIATE IN THIS LOCATION.

DAVID FINK OF 600 W. ST. JOSEPH, SAID THAT HE IS AN ATTORNEY ON BEHALF OF THE PETITIONER FOR Z-09-97 AND PRD-02-97. HE IS CONCERNED TO SEE SEVERAL ISSUES OF REZONING COME DOWN THE SAME WAY. THE PLANNING STAFF RECOMMENDED THIS REZONING BECAUSE THIS USE OF THE PROPERTY IS CONSISTENT WITH SURROUNDING PROPERTY USES. IT DOES NOT CREATE THE SAME TRAFFIC BURDENS THAT WOULD BE CREATED BY OTHER ACCEPTABLE USES CONSISTENT WITH THE CURRENT ZONING. HE HAS HEARD COMPLAINTS TODAY THAT DO NOT COMPORT WITH DEVELOPMENT PRACTICES, AND WHICH ARE INAPPROPRIATE FOR CITY COUNCIL TO CONSIDER, SUCH AS; "WHO WILL THOSE TENANTS BE, AND DO WE WANT THEM IN OUR NEIGHBORHOOD". THE CITY'S 1995 HOUSING REPORT STATES THAT THE CITY HAS A NEED FOR MORE AFFORDABLE HOUSING. COUNCILMEMBERS MUST ASK THEMSELVES WHY THEY ARE GETTING THIS LITANY OF OBJECTIONS. IS IT REALLY THE TRAFFIC ISSUE? NO. IT APPEARS TO BE "WHO IS GOING TO LIVE THERE", BECAUSE IT IS RENTERS. THIS DEVELOPER IS NOT ASKING FOR SPECIAL CONSIDERATION TO PUT THIS PROJECT IN. HE IS JUST ASKING THAT COUNCIL NOT USE SPECIAL CONSIDERATION IN THE STOPPING OF IT. THIS WOULD BE THE SECOND LEGITIMATE HOUSING PROJECT REJECTED BY COUNCIL WITHOUT BASIS. THERE HAS TO BE A LEGITIMATE BASIS FOR REJECTION OF THESE PROJECTS, BUT WHAT HAS BEEN SEEN DOES NOT SHOW THAT, JUST THAT SOME RESIDENTS DO NOT WANT RENTERS IN THEIR NEIGHBORHOODS.

RON VANDERLAAN OF 211 REDNER STATED HIS OPPOSITION TO Z-09-97. CEDAR ST. IS A MAIN THROUGHWAY FOR EMERGENCY VEHICLES. ADDING ADDITIONAL TRAFFIC WOULD MAKE THIS SITUATION WORSE. THEY ARE NOT OPPOSED TO THE ZONING, AS MUCH AS THEY ARE OPPOSED TO ADDING MORE RENTERS TO THIS AREA. WHY HAS NOT THE DEVELOPER CONSIDERED BUILDING SINGLE FAMILY HOMES ON THIS LAND? COUNCIL IS SPEAKING UP FOR WHAT THEY BELIEVE IN, RESIDENTS APPRECIATE THAT.

JAMES BIER OF 5515 MCCOURT ST. STATED HIS OPPOSITION TO Z-09-97. ACCORDING TO THE LPD, THIS INTERSECTION HAS THE HIGHEST RATE OF TRAFFIC ACCIDENTS IN THE CITY. THE DEVELOPER WAS LOOKING FOR A TAX BREAK ON THESE APARTMENTS. THIS PROJECT WOULD PLACE APPROXIMATELY 72 NEW KIDS INTO THE LOCAL SCHOOLS, BUT WOULD NOT PUT ANY ADDITIONAL TAX DOLLARS INTO THE SYSTEM TO SUPPORT THEM. THE MONEY THAT THESE RENTERS COULD BE USING TO PURCHASE HOUSING WOULD BE GOING TO OUT OF TOWN DEVELOPERS IN THE FORM OF A

TAX INCENTIVE.

WILLIAM TERRENCE OF 208 REDNER SAID THAT THE PLANNING BOARD RECOMMENDED DENIAL OF Z-02-97. IT IS APPROPRIATE FOR COUNCIL TO UPHOLD THEIR RECOMMENDATIONS. THE TRAFFIC RATING OF THIS INTERSECTION IS D, OUT OF A POSSIBLE A-E. THIS IS NOT ACCEPTABLE, AND IT IS WITHOUT THE PROPOSED HOUSING DEVELOPMENT. THIS PROPERTY WOULD BE BEST SUITED FOR WAREHOUSING, LIKE THE ZONING CURRENTLY ALLOWS.

COUNCILMEMBER LILLY LEFT THIS MEETING OF THE CITY COUNCIL AT 8:35 P.M. FOR A FAMILY ILLNESS AND WAS EXCUSED BY COUNCIL PRESIDENT BEAL

### LEGISLATIVE MATTERS RESOLUTIONS

#### RESOLUTION #470

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR A CITY PERMIT, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

NOW, THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR A CITY PERMIT FOR:

FIREWORKS DISPLAY PERMIT: LARRY HOLLEY,  
SEPTEMBER 1, 1997, RIVERFRONT PARK

BY COUNCILMEMBER BENAVIDES

TO DISCHARGE THE COMMITTEE ON GENERAL SERVICES FROM CONSIDERATION OF THIS RESOLUTION

CARRIED UNANIMOUSLY

BY COUNCILMEMBER BENAVIDES

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AUTHORIZING THE ISSUANCE OF A FIREWORKS DISPLAY PERMIT

CARRIED UNANIMOUSLY

#### RESOLUTION #471

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED MICHAEL SMITH, 3306 CHRISTINE DRIVE, TO THE PLANNING BOARD, FOR A TERM TO EXPIRE JUNE, 1998; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF



MICHAEL SMITH TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE, 1998.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #472**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED DEBORAH WINFREY-KEENE, 1127 NORTH GENESSEE DRIVE, TO THE PLANNING BOARD, FOR A TERM TO EXPIRE JUNE, 2001; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF DEBORAH WINFREY-KEENE TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE, 2001.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #473**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING

Z-9-97, 200 BLOCK EAST JOLLY ROAD, "F" COMMERCIAL & "G-2" WHOLESALE TO "DM-1" RESIDENTIAL DISTRICT

WHEREAS, HDC, INC., NOVI, MI REPRESENTING THE OWNER, BLUE WATER FINANCIAL CO., HAS REQUESTED A ZONING MAP AMENDMENT TO REZONE PROPERTY LOCATED IN THE 200 BLOCK OF EAST JOLLY ROAD FROM "F" COMMERCIAL DISTRICT AND "G-2" WHOLESALE DISTRICT TO "DM-1" RESIDENTIAL DISTRICT; AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING ON MAY 6, 1997, THE APPLICANT SPOKE IN FAVOR OF THE REQUEST AND NINE (9) AREA RESIDENTS SPOKE IN OPPOSITION TO THE REQUEST. IN ADDITION, THE PLANNING BOARD RECEIVED NUMEROUS COMMUNICATIONS, ONE IN SUPPORT OF THE PROPOSAL, AND SEVERAL (REPRESENTING 17 HOUSEHOLDS) IN OPPOSITION TO THE REQUEST FOR ZONING CHANGE; AND

WHEREAS, THE PLANNING BOARD, AT THEIR MEETING OF JUNE 17, 1997, VOTED FIVE YES - ONE NAY (5-1) TO RECOMMEND APPROVAL OF Z-9-97. HOWEVER, THIS QUESTION FAILED TO RECEIVE THE SIX VOTES REQUIRED BY STATE LAW TO TRANSMIT A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL; THEREFORE, THE PLANNING BOARD TRANSMITTED CASE Z-9-97 TO CITY COUNCIL WITHOUT RECOMMENDATION; AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON MONDAY, AUGUST 11, 1997; AND

WHEREAS, THE PHYSICAL DEVELOPMENT COMMITTEE OF COUNCIL HAS REVIEWED THE REQUEST AND THE REPORT OF THE PLANNING BOARD AND HAS FOUND, AMONG OTHER THINGS, THAT THE PROPOSED ZONING CHANGE WOULD NOT BE COMPATIBLE WITH SURROUNDING LAND USES AND WOULD CAUSE FURTHER TRAFFIC CONGESTION ON JOLLY ROAD;

NOW, THEREFORE, BE IT, RESOLVED THAT THE COUNCIL OF THE CITY OF LANSING HEREBY DENIES THE REQUEST (Z-9-97) FOR A ZONING MAP AMENDMENT FOR PROPERTY LOCATED IN THE 200 BLOCK OF EAST JOLLY ROAD FROM "F" COMMERCIAL DISTRICT AND "G-2" WHOLESALE DISTRICT TO "DM-1" RESIDENTIAL DISTRICT.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #474**  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE LESSER OF THE AMOUNT INDICATED OR THE REMAINING UNENCUMBERED BALANCE IN THE FOLLOWING ACCOUNTS BE REAPPROPRIATED IN FY 98 TO THE ADMINISTRATIVE ACCOUNTS AS SHOWN,

BALANCE AS OF 8/19/97	FUND/DEPARTMENT/ACCOUNT	AMOUNT TO CARRY FORWARD
GENERAL FUND		
	INTERNAL AUDIT	
\$2,708.74	101-112120-741000-0	UNENC. BALANCE
\$2,740.98	101-112120-977000-0	UNENC. BALANCE
(INCOMPLETE OFFICE EQUIPMENT PURCHASES.)		
	LABOR RELATIONS	
\$10,849.99	101-173162-743000-0	
	PROFESSIONAL SERVICES	\$10,800
\$16,590.00	101-173162-743400-0	
	ARBITRATION FEES	\$15,190
	CITY ATTORNEY	
\$6,537.72	101-172900-743000-0	UNENC. BALANCE
(PENDING AND PROBABLE ARBITRATION NEEDS AND COSTS: POXSON CASE, LOCAL #214 UNIT CLARIFICATION. ALSO MID-YEAR LABOR NEGOTIATIONS WITH FOP 911, AND ARBITRATION WITH IAAF #421 REGARDING CONSOLIDATION)		
	GENERAL ADMINISTRATION	
\$20,935	101-173901-747000-0	
	EDUCATION AND TRAINING	UNENC. BALANCE
(PROGRAMS DEVELOPED IN FY 97 WHICH CANNOT BE IMPLEMENTED UNTIL FALL FY 98 DUE TO SCHEDULING CONFLICTS AND DEPARTMENTAL OPERATING NEEDS, INCLUDING LAW DEPARTMENT WORKPLACE ASSESSMENT TRAINING, VIOLENCE IN THE WORKPLACE TRAINING, JOB CLASSIFICATION TRAINING AND MANAGEMENT TRAINING, ESTIMATED TOTAL \$23,950)		
	PUBLIC SERVICE	
\$73,998.55	101-173612-743000-0	
	PROFESSIONAL SERVICES	\$60,000
(CONTRACTUAL COSTS FOR STAFFING SECURITY STATIONS, PENDING FINAL		



## RECOMMENDATIONS FOR THE SECURITY SYSTEM.)

BE IT FURTHER RESOLVED THAT REMAINING UNENCUMBERED BALANCES AT JUNE 30, 997, WITHIN THE HUMAN SERVICES AGENCY BUDGET, INCLUDING OBJECT CODES 833710, 833715, 833720, AND 833730, BE REAPPROPRIATED WITHIN THE 101-833710-960120-01 HUMAN SERVICES DISCRETIONARY ACCOUNT.) (UNENCUMBERED BALANCES TOTAL \$21,337.78.)

BY COUNCILMEMBER JONES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED FOR THIS VOTE)

**RESOLUTION #475**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 97 TRANSFER BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$8,377.93	EST REV-HOME PROG 263-0-170001-0	
\$7,377.93		REHABILITATION-PI 263-931663- 975201-09610
\$1,000.00		REHABILITATION 263- 931663-975201- 09600

(HOME PROGRAM INCOME (\$7,377.93) RECEIVED IN FY 97 AND CREDITED TO REVENUE DETAIL ACCOUNT 263-0-670000-0, AND \$1,000 IN ADDITIONAL FY 97 GRANT YEAR FUNDING, CREDITED TO REVENUE DETAIL ACCOUNT 263-0-535000-09600.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #476**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 98 TRANSFER BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$20,850	EST REV-STATE & FED. PROG 273-0-170001-0	DRAKES REFINERY- MDEQ 454714-6273- 933601-971005- 43838

(MDEQ GRANT FOR ENGINEERING CONSULTANT FOR PHASE I AND PHASE II ENVIRONMENTAL ASSESSMENT OF DRAKE

REFINERY SITE. REVENUE DETAIL ACCOUNT 273-0-579211-43838.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #477**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLUTION BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, ON APRIL 3, 1995 THE CITY COUNCIL ADOPTED RESOLUTION #241 THE CITY OF LANSING FIVE YEAR RECREATION PLAN FOR 1995 THROUGH 2000; AND

WHEREAS, PROJECTS, IN WHICH THIS IS, MUST BE ON THE FIVE YEAR PARKS AND RECREATION MASTER PLAN TO BE ELIGIBLE FOR GRANT FUNDS FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES; AND

WHEREAS, THE DEPARTMENT IS DESIRING TO ACQUIRE EASEMENTS AND LAND ALONG THE SYCAMORE CREEK CORRIDOR FOR THE EXTENSION OF RIVER TRAIL TO THE SOUTH; AND

WHEREAS, THE CITY HAS BEEN APPROACHED BY A LANDHOLDER IN SELLING 3 1 +- ACRES OF FORESTED LAND IN WHICH THERE ARE 2200 FEET OF SYCAMORE CREEK FRONTAGE; AND

WHEREAS, THE CITY IS PROPOSING TO DEVELOP A RECREATIONAL SOCCER COMPLEX IMMEDIATELY SOUTH OF ABOVE SAID PARCEL; AND

WHEREAS, THE PARK BOARD ON APRIL 16, 1997 RECOMMENDED ACQUISITION OF ABOVE SAID PARCEL; AND

WHEREAS, THE DEPARTMENT HAS RECOMMENDED MAKING A MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION IN THE AMOUNT OF \$900,000 WITH A LOCAL MATCH OF \$300,000; AND

NOW THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY AUTHORIZES THE MAYOR TO SUBMIT A GRANT APPLICATION TO THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR THE PROJECT.

"BE IT FINALLY RESOLVED THAT IF THE GRANT MONIES ARE SCHEDULED TO BE RECEIVED, THE ADMINISTRATION SHALL REPORT BACK TO THE CITY COUNCIL FOR FURTHER APPROVALS BEFORE ESTABLISHING ACCOUNTS AND/OR TRANSFERRING FUNDS THAT IF THE GRANT MONIES ARE RECEIVED, THE ADMINISTRATION IS AUTHORIZED TO ESTABLISH THE APPROPRIATE ACCOUNTS AND TO TRANSFER THE FUNDS."

BY COUNCILMEMBER JONES

TO AMEND THE RESOLUTION IN THE "BE IT FINALLY RESOLVED" CLAUSE TO SUBSTITUTE THE FOLLOWING LANGUAGE FOR THE LANGUAGE CONTAINED IN THE ORIGINAL RESOLUTION: "THAT IF THE GRANT MONIES ARE SCHEDULED TO BE RECEIVED, THE ADMINISTRATION



SHALL REPORT BACK TO THE CITY COUNCIL FOR FURTHER APPROVALS BEFORE ESTABLISHING ACCOUNTS AND/OR TRANSFERRING FUNDS", AND; TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 8

NAYS: 0

**RESOLUTION #478**  
BY COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
PUBLIC IMPROVEMENT IV

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON JULY 21, 1997, THE CITY ASSESSOR HAS HELD A PUBLIC HEARING FOR ASSESSMENT ROLL NUMBER 332 FOR CURB AND GUTTER, AND STORM SEWER, AS FOLLOWS:

PROJECT TITLE:

PAULSON STREET RECONSTRUCTION P.S. #16068 N. EAST STREET TO CEDAR STREET

PROPERTY BENEFITTED

CURB AND GUTTER:

ALL LANDS FRONTING ON PAULSON STREET FROM N. EAST STREET TO CEDAR STREET.

PROPERTY BENEFITTED

STORM SEWER:

ALL LANDS FRONTING ON PAULSON STREET FROM N. EAST STREET TO CEDAR STREET.

ENGINEERS ESTIMATE. COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO.338	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	\$177.58	\$24,654.24
STORM SEWER	\$2,281.51	\$17,079.89
OTHER COSTS	<u>\$53,227.99</u>	<u>\$0.00</u>
TOTAL COSTS	\$55,687.09	\$41,734.12

WHEREAS, THE CITY HAS ESTABLISHED A STORMWATER FEE BY ORDINANCE #925 ON OCTOBER 9, 1995;

WHEREAS, TO ALLEVIATE THE FINANCIAL BURDEN OF HAVING BOTH A STORM WATER FEE AND A SPECIAL ASSESSMENT PAYABLE IN ANY GIVEN YEAR THE CITY COUNCIL APPROVED A POLICY CHANGE ON AUGUST 18, 1997; AND

NOW THEREFORE BE IT RESOLVED, THAT SPECIAL ASSESSMENT ROLL NUMBER 338 AS RETURNED BY THE CITY ASSESSOR, BE RATIFIED AND CONFIRMED, AUTHORIZING THE MAYOR TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING

THE CITY TREASURER TO COLLECT SAID ASSESSMENT WITHIN 90 DAYS AFTER THE APPROVAL OF THE ASSESSMENT ROLL.

BE IT FURTHER RESOLVED, THAT ANY INDIVIDUAL PARCEL THAT HAS A SPECIAL ASSESSMENT FOR CURB AND GUTTER AND/OR STORM SEWER CURRENTLY IN PLACE IN JULY OF ANY YEAR, THE FOLLOWING DECEMBER STORM WATER BILL WILL REFLECT UP TO 100% CREDIT OF THE PROPERTY OWNER'S STORMWATER FEE, TO OFF-SET ALL OR PART OF THE SPECIAL ASSESSMENT LEVIED TO PAY FOR SAID IMPROVEMENTS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #479**  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

BE IT RESOLVED, THAT THE SUM OF \$2,000 BE TRANSFERRED FROM THE CITY COUNCIL COMMUNITY PROMOTIONS ACCOUNT AND APPROPRIATED TO THE LANSING BLACKHAWKS YOUTH FOOTBALL ORGANIZATION FOR A TOURNAMENT TO BE HELD OVER THE LABOR DAY WEEKEND IN THE LANSING SCHOOL DISTRICT FOOTBALL FIELDS;

AND BE IT FURTHER RESOLVED THIS PAYMENT SHALL BE MADE BY MEANS OF AN INTERDEPARTMENTAL VOUCHER TO BE GENERATED BY THE FINANCE DEPARTMENT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #480**  
BY COUNCILMEMBER SANDY ALLEN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE EVERETT FOOTBALL TOUCHDOWN CLUB HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES THE EVERETT FOOTBALL TOUCHDOWN CLUB AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER ALLEN

TO DISCHARGE THE COMMITTEE ON GENERAL SERVICES FROM CONSIDERATION OF THIS ITEM

CARRIED UNANIMOUSLY

BY COUNCILMEMBER ALLEN

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION



CARRIED UNANIMOUSLY

## OTHER BUSINESS

### ► PUBLIC COMMENT ON CITY RELATED MATTERS

CARL HUMPHREY OF 524 S. CHESTNUT SPOKE REGARDING THE NEEDS OF THE POOR AND HOMELESS IN MID-MICHIGAN. HE COMMENDED THE LANSING POLICE DEPARTMENT FOR THEIR EXPEDIENT RESPONSE TO A CALL FROM HIM ON AN INTRUDER AT HIS HOUSE. THE INTRUDER WAS REMOVED WITHIN MINUTES, WITHOUT INCIDENT.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. ACCUSED COUNCIL OF ACTING VERY SLOWLY WITH REGARD TO THE RECOMMENDATIONS PRESENTED TO THEM BY THE MARCH FOR JUSTICE. THIS ALWAYS HAPPENS WHEN PEOPLE OF COLOR BRING THEIR ISSUES TO CITY COUNCIL FOR LEGISLATIVE ACTION. IF SPEEDY ACTION IS NOT TAKEN ON THESE RECOMMENDATIONS, THEY WILL MARCH AGAIN IN THE NEAR FUTURE.

COUNCILMEMBER ALLEN ASKED MR. BRODIE TO SPEAK TO HER AT THE CONCLUSION OF TONIGHT'S MEETING. SHE HAD THOUGHT THAT THESE RECOMMENDATIONS HAD BEEN TAKEN UP AND ADDRESSED.

WILLY WILLIAMS OF 505 W. LENAWEE PROTESTED THE UNCIVIL, UNJUST BEHAVIOR OF PEOPLE WHO HAVE BEEN COMING REGULARLY TO ADDRESS COUNCIL. HE SAID THAT 2/3 OF LANSING VOTERS, ALONG WITH HIM, ASK THAT COUNCILMEMBERS BEGIN REPRESENTING THEM RATHER THAN THE SQUEAKY WHEELS THAT ARE USUALLY REPRESENTED.

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SAID THAT SHE IS OPPOSED TO THE PRESERVATION OF THE "UGLY EYESORES ON CAPITOL AVE." SHE OPPOSES THE DECLARATION OF THESE HOUSES AS HISTORIC STRUCTURES. SHE CRITICIZED THE PROCEEDINGS OF THE LAST HISTORIC DISTRICT COMMISSION MEETING WHICH WAS HELD ON AUGUST 19TH.

LLOYD TEETS OF 116 E. ELM ST. SPOKE REGARDING THE UNFORTUNATE INCIDENT THAT OCCURRED LAST WEEK WHEN HE WAS REMOVED FROM COUNCIL CHAMBERS. HE HAS SINCE BROKEN BREAD WITH COUNCILMEMBER BEAL, AND THEY ARE STILL FRIENDS. FOUR YEARS AGO, HE WAS A SUPPORTER OF MAYOR HOLLISTER, BUT AFTER TAKING AN OPPOSING VIEWPOINT FROM THE MAYOR, HE WAS REMOVED FROM THE A-LIST AND FROM ALL ACCESS TO MAYOR HOLLISTER'S OFFICE. HE HAS BEEN UNABLE TO REPAIR THIS DAMAGE, BECAUSE HE STILL DOES NOT HAVE ACCESS. HE DECLARED THAT PREVIOUS SPEAKERS WERE INCORRECT IN THEIR ASSESSMENT OF THE NUMBER OF VOTES HE RECEIVED IN THE AUGUST PRIMARY ELECTION. HE ACTUALLY RECEIVED 79 VOTES.

RON PREADMORE OF 4220 CHRISTIANSEN RD. SUGGESTED THAT MR. WILLIAMS USE EAR PLUGS IF HE DOES NOT LIKE THE CONTENT OF PUBLIC COMMENTS. THERE IS SUCH A THING AS FREE SPEECH. HE URGED COUNCILMEMBERS TO WORK WITH HIM ON THE CHRISTIANSEN RD. SAFETY ISSUE. HE ASKED COUNCILMEMBER BENAVIDES TO RETURN HIS PHONE CALLS WITH REGARD TO THIS SUBJECT.

ED CARPENTER OF 119 S. LARCH SAID THAT HE IS PROUD TO BE A CITY OF LANSING RESIDENT AND TO WITNESS WHAT HAPPENED LAST WEEK WITH THE OLDSMOBILE CENTENNIAL CELEBRATION. EVERYONE IN THE COMMUNITY DESERVES APPLAUSE. HE THANKS EVERYONE WHO WAS INVOLVED IN THESE ACTIVITIES. IT WAS A GREAT EVENT FOR THE CITY. EVERYTHING WORKED AND SHOWED OUR CITY IN IT'S BEST LIGHT. OLDSMOBILE PARK, THE LANSING CENTER, RIVERFRONT PARK, AND THE GUIDED TOURS,

DARNELL OLDHAM SR. OF 3815 BERWICK DR. COMMENDED THE STATE JOURNAL FOR AN ARTICLE THEY PUBLISHED REGARDING THE CITIZENS REVIEW BOARD PETITION DRIVE. THIS ARTICLE URGED COUNCILMEMBERS TO WAIT TO SEE HOW THE BALLOT ISSUE COMES OUT BEFORE ADOPTING THE ORDINANCE INTRODUCED LAST WEEK, DESIGNATING THE HUMAN RELATIONS AND COMMUNITY SERVICE DEPARTMENT AS THE INITIAL INTAKE AGENT FOR ALL COMPLAINTS AGAINST CITY OFFICERS AND EMPLOYEES.

ALEXANDER BOLT OF 1230 REO RD. THANKED COUNCILMEMBER NOVAK FOR HIS VOTE ON THE TRANSFER OF FUNDS. THE SITUATION THAT CURRENTLY EXISTS ON COUNCIL IS RULE BY MINORITY. THREE COUNCILMEMBERS ARE BACKING THE MAYOR AND PREVENTING AN OVERRIDE OF HIS VETO OF RESOLUTIONS PLACING THE STORM WATER ENTERPRISE FUND ORDINANCE ON THE BALLOT. HE ASKED THAT THE CITY ATTORNEY FILE AN IMMEDIATE MOTION FOR SUMMARY DISPOSITION ON THIS MATTER.

ED SIMMER OF 2609 DIER, REPRESENTING THE CARS CLUB OF GREATER LANSING, ANNOUNCED THAT COUNCIL PRESIDENT BEAL WILL DRIVE IN ONE OF THEIR RACES THIS WEEKEND. THE RACE IS AT 3:30 P.M. THIS SATURDAY. PLEASE BRING YOUR KIDS DOWN TO THE RACE.

LEWIS BOZEK OF 419 CLARENDON RD. IN E. LANSING SPOKE REGARDING THE PHRASE "WORLD CLASS CITY". HE ASKED FOR CLARIFICATION OF THE MEANING OF THIS PHRASE. HE HAS TRAVELED ALL AROUND THE WORLD AND DOES NOT WANT THE THINGS HE HAS SEEN IN OTHER COUNTRIES TO BE THE FUTURE FOR LANSING. THE WORLD IS FILLED WITH POVERTY AND SUFFERING. LANSING SHOULD GO "FIRST CLASS" INSTEAD OF "WORLD CLASS". AN EXAMPLE OF A "FIRST CLASS" EFFORT IS THE 7,000 PEOPLE WHO SIGNED THEIR PETITIONS FOR A CITIZENS REVIEW BOARD. ANOTHER EXAMPLE OF "FIRST CLASS" IS WHEN YOU ALLOW THE PEOPLE A VOTE.

ALBERTA JORDAN OF 1649 RINQUIST IN E. LANSING DISPLAYED A COPY OF WHAT SHE DESCRIBED AS A SUBPOENA SERVED ON HER SON. THIS IS THE LAST WEEK SHE WILL DISCUSS HER SON IN THESE CHAMBERS. SHE STATED THAT THE HAND GUN USED IN THE ROBBERIES HER SON WAS ACCUSED AND CONVICTED OF COMMITTING WAS STOLEN FROM THE LANSING POLICE DEPARTMENT. THIS HAS BEEN PROVEN.

## CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE



## 2. LETTERS FROM THE CITY ATTORNEY RE:

A. WILLIAM BURT BURLESON V CITY OF LANSING AND JAMES D. SMIERKA, JOINTLY AND SEVERALLY

RECEIVED AND PLACED ON FILE

B. JAMES D. BLAIR V CITY OF LANSING

RECEIVED AND PLACED ON FILE

## 3. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: HUMAN RELATIONS & COMMUNITY SERVICES, COMPUTER & COMMUNICATIONS SERVICES, MAYOR'S OFFICE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. EXECUTIVE TRANSFER REPORT AND FY 1998 ADMINISTRATIVE TRANSFERS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. LETTER OF APPRECIATION FROM OAK PARK NEIGHBORHOOD ASSOCIATION TO LANSING FIRE DEPARTMENT

RECEIVED AND PLACED ON FILE

**COMMUNICATIONS & PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

## 1. LETTERS FROM CHRISTINE TIMMON RE:

- HISTORIC DISTRICT COMMISSION MEETING OF AUGUST 19, 1997
- NON POINT SOURCE POLLUTION
- FOOD VENDING AT THE CAPITAL CITY RIVERFEST
- HISTORIC DISTRICT COMMISSIONS ATTEMPTS TO PRESERVE HISTORIC STRUCTURES ON CAPITOL AVE.
- CREATION OF A CITIZENS REVIEW BOARD

RECEIVED AND PLACED ON FILE

2. LETTER FROM STEPHANIE L. WHITBECK, CHAIR OF THE LANSING HISTORIC DISTRICT COMMISSION SUBMITTING A LETTER FROM THE STATE OF MICHIGAN HISTORIC PRESERVATION OFFICE REGARDING THE HISTORICAL SIGNIFICANCE OF PROPERTIES LOCATED AT 525, 531 AND 535 S. CAPITOL AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND THE COMMITTEE OF THE WHOLE

3. LETTER FROM THE STATE OF MICHIGAN HISTORIC PRESERVATION OFFICE IN SUPPORT OF THE CREATION OF AN HISTORIC DISTRICT IN THE AREA LOCATED WEST AND SOUTH

OF THE CENTRAL BUSINESS DISTRICT, EXTENDING NORTH TO SAGINAW, WEST TO M.L.K. BLVD., AND SOUTH TO I-496

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND THE COMMITTEE OF THE WHOLE

4. STORMWATER ENTERPRISE FUND APPEALS FROM: JOHN H. SMITH 6232 DAFT ST., JANET J. FLINTZ 2512 W. HOLMES, PAUL & SHERRI WIEGMAN FOR 3230 STABLER, 3236 STABLER 307 E. HILLSDALE, 1036 N. LARCH 430 PEARL ST., 1926 VICTOR AVE., 121 N. HAYFORD, 1628 NEW YORK AVE.,

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5. LETTER FROM TIMOTHY & ALICE MATTHEWS OPPOSING THE APARTMENT COMPLEX DEVELOPMENT PROPOSED FOR JOLLY RD., BETWEEN JOLLY-CEDAR AND SKOOG COURT

RECEIVED AND PLACED ON FILE

6. LETTER FROM LOUIS A. DOYLE OF 6164 COBBLER #97 REGARDING THE NEED FOR A METERED PARKING SPACE IN FRONT OF WOLVERINE TYPEWRITER CO., 113 E. KALAMAZOO

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. CLAIM APPEAL: CAPITOL CADILLAC

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

8. STATEMENT OF CARL J. HUMPHREY A RESIDENT OF LANSING

RECEIVED AND PLACED ON FILE

9. NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE FOR PETER SEMPRONIUS HUDY FOR 200 SHEPARD ST.

REFERRED TO THE MAYOR

10. LETTER FROM HASNA GEMPEL OF 1526 KNOLLWOOD REGARDING AN ASSESSED FEE FOR PROPERTY LOCATED AT 1310 W. OTTAWA

REFERRED TO THE MAYOR

11. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM BEATRICE SHULTZ OF 225 E. JOLLY RD. IN OPPOSITION TO PRD-02-97, PLANNED RESIDENTIAL DEVELOPMENT AT JOLLY-CEDAR AND SKOOG CRT.

RECEIVED AND PLACED ON FILE

12. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN A LETTER AND PETITION SUBMITTED BY RONALD PREADMORE OF 4220 CHRISTIANSEN RD. AND SIGNED BY 10 RESIDENTS OF CHRISTIANSEN RD. REGARDING THE UNSAFE CONDITION OF THEIR STREET

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND THE COMMITTEE ON PUBLIC SERVICES



13. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN;  
STORMWATER APPEAL FROM TRACY SMITH AT 6243  
HILLIARD RD.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER ALLEN SAID HELLO TO LARRY. SHE  
THANKED THE RSVP (RETIRED SENIOR VOLUNTEER PROGRAM)  
FOR THEIR HELP WITH THE OLDSMOBILE CENTENNIAL  
CELEBRATION. SHE ANNOUNCED THAT THERE WILL BE A  
MULTI-PLEX THEATER OPENING SOON, NEAR THE SAMS CLUB  
ON EDGEWOOD DR.

COUNCILMEMBER BAUER THANKED EVERYONE WHO WORKED  
ON THE OLDSMOBILE CENTENNIAL CELEBRATION,  
PARTICULARLY, TO THE VOLUNTEERS. SHE EXPRESSED HER  
APPRECIATION OF THE FACT THAT THE NEW TRANSPORTATION  
CENTER WAS DEDICATED TO R.E. OLDS ON SATURDAY. SHE  
URGED EVERYONE TO DRIVE BY AND VIEW THE NEW, VERY  
APPROPRIATE MEMORIAL. IT IS A BEAUTIFUL BUILDING AND  
WILL PROVIDE A GREAT SERVICE TO THE PEOPLE WHO RELY  
ON PUBLIC TRANSPORTATION. SHE ANNOUNCED THAT THE  
IMPRESSION 5 MUSEUM IS CELEBRATING THEIR  
ANNIVERSARY. SHE COMMENDED THE PARTICIPANTS OF THE  
NEIGHBORHOODS IN BLOOM FLOWER CONTEST. SHE  
EXPRESSED HER GRATITUDE AT BEING ELECTED TO  
REPRESENT THE PEOPLE OF THE CITY OF LANSING AT THE  
MANY EVENTS THAT WERE HELD OVER THE COURSE OF THE  
LAST WEEK. THE CITY OWES A DEBT OF GRATITUDE TO  
OLDSMOBILE AND A SINCERE "THANK YOU" FOR THESE  
WONDERFUL EVENTS AND FOR 100 YEARS IN OUR  
COMMUNITY, WE ARE INTER-CONNECTED AND INTERDEPENDENT  
WITH THEM. THIS WAS A GREAT OPPORTUNITY TO SHOWCASE  
OUR CITY. THERE WERE THOUSANDS OF PEOPLE VISITING  
LANSING, AND ALL OF THE COMMENTS SHE HEARD WERE  
COMPLIMENTARY.

COUNCILMEMBER NOVAK SAID HELLO TO LARRY, TOO.

COUNCILMEMBER JONES SAID THAT THE PAPERS GAVE  
OLDSMOBILE CREDIT FOR BUILDING OLDSMOBILE PARK. THIS  
IS NOT TRUE. THE PARK WAS BUILT BY THE CITY OF  
LANSING. WE ARE INDEED VERY FORTUNATE THAT  
OLDSMOBILE WAS LOCATED IN LANSING, AND THERE IS NO  
REASON THAT THEY SHOULD NOT REMAIN IN LANSING. THEIR  
EMPLOYEES HAVE SERVED THEM VERY WELL FOR MANY YEARS  
AND THERE IS NO REASON THEY SHOULD NOT CONTINUE TO  
DO SO.

COUNCILMEMBER LEEMAN WISHED HAPPY BIRTHDAY TO MARY  
MARGARET MURPHY-WOLL. HE SAID THAT THE CENTENNIAL  
EVENTS OF THE LAST COUPLE OF DAYS HAVE BEEN OVER-  
WHELMING. HE SAW SEVERAL OF HIS COLLEAGUES IN  
ATTENDANCE AT THE SAME EVENTS THAT HE ATTENDED. HE  
REPORTED THAT THE CATA TRANSPORTATION CENTER  
SHOULD BE OPENING SOMETIME IN OCTOBER. THERE WERE  
SEVERAL THINGS COMING TOGETHER TO ALLOW THE EVENTS  
OF THE PAST WEEK TO HAPPEN. THIS WAS A VISION.  
OLDSMOBILE HIRED PROFESSIONAL ORGANIZATIONS TO PULL

THIS CELEBRATION OFF, AND IT WORKED.

COUNCILMEMBER BEAL REPORTED RECEIVING A LETTER FROM  
ONE OF HER FAVORITE OUT OF TOWN RESTAURANTS, SAYING  
THAT THEY ARE NOW CONTEMPLATING A MOVE INTO THE  
LANSING AREA. SHE CONFIRMED THE REGULARLY  
SCHEDULED MEETING OF THE COMMITTEE OF THE WHOLE FOR  
THIS THURSDAY, AND THE REGULARLY SCHEDULED MEETING  
OF THE COMMITTEE ON DEVELOPMENT AND PLANNING,  
TOMORROW AT 4:00 P.M. THE HISTORIC DISTRICT ISSUE  
WILL BE ON THEIR AGENDA. THE WAYS AND MEANS  
COMMITTEE IS NOT MEETING THIS WEEK.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER THANKED EVERYONE INVOLVED IN THE SPECIAL  
EVENTS OF THE LAST WEEK. THIS WAS AN UNIQUE AND  
HISTORIC EVENT FOR LANSING. IT GAVE US A CHANCE TO  
DISPLAY THE GRACIOUSNESS AND HOSPITALITY OF THE  
PEOPLE OF THE CITY. SOMETIMES WE LOSE PERSPECTIVE  
ON WHO WE ARE AND WHAT A GREAT COMMUNITY WE ARE.

**ADJOURNED 9:40 P.M.**

**MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF SEPTEMBER 2, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF AUGUST 18, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LEEMAN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LEEMAN; A RESOLUTION FROM THE AD HOC COMMITTEE ON PERSONNEL AUTHORIZING THE HIRING OF A LEGISLATIVE RESEARCH ANALYST
2. FROM COUNCILMEMBER ALLEN; A RESOLUTION OF TRIBUTE TO PASTOR TOM PAYES
3. FROM COUNCILMEMBER LILLY; A LETTER FROM PASTOR ALLEN KAMENS STATING THEIR OPPOSITION TO THE PROPOSED CAPITOL HISTORIC DISTRICT
4. FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER RECOMMENDING THE APPOINTMENT OF ROSEMARY AQUILINA TO THE BOARD OF WATER & LIGHT
5. FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER RECOMMENDING THE REAPPOINTMENT OF DAVID O'LEARY TO THE BOARD OF WATER & LIGHT
6. FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER RECOMMENDING THE APPOINTMENT OF DERRICK QUINNEY TO THE BOARD OF POLICE COMMISSIONERS
7. FROM COUNCILMEMBER NOVAK; A LETTER FROM MAYOR HOLLISTER RECOMMENDING THE APPOINTMENT OF NORMA BERMUDEZ TO THE BOARD OF POLICE COMMISSIONERS

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER LEEMAN URGED THE PUBLIC TO TAKE PART IN THE "NAME YOUR GOVERNMENT CHANNEL" CONTEST. HE REMINDED THEM THAT THE PRIZE IS A FREE DINNER AT THE BLUE COYOTE AND TWO TICKETS TO THE BOARSHEAD THEATER. THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD WILL MAKE THEIR RECOMMENDATIONS AT THE SEPTEMBER 10TH MEETING.

COUNCILMEMBER ALLEN NOTED THAT THE SOUTHSIDE ACTION COMMITTEE WILL MEET THIS WEEK.

COUNCILMEMBER BAUER ANNOUNCED A TOUR OF HISTORICAL HOUSES IN THE MOORES RIVER DRIVE AREA SUNDAY, SEPTEMBER 14, 1997 FROM 1:00 P.M. TO 5:00 P.M. TICKETS ARE AVAILABLE FOR \$15.00 AND PROCEEDS WILL GO TO THE GREATER LANSING HOUSING COMMISSION FOR REHABILITATION OF HOMES.

COUNCILMEMBER JONES NOTED THAT TODAY WAS THE FIRST DAY OF SCHOOL. HE REPORTED VISITING THE STUDENTS AT NORTH ELEMENTARY SCHOOL. HE INDICATED HIS SURPRISE AT MAYOR HOLLISTER'S DISSATISFACTION WITH THE ACTIONS OF THE BLUE RIBBON COMMITTEE ON EDUCATION. HE DOES NOT LIKE TO SEE COUNCIL BLAMED FOR THIS. THE WAYS AND MEANS COMMITTEE MERELY REQUESTED THAT THEY (BRCE) PUT THE FUNDS ON DEPOSIT IN A LEGAL REPOSITORY.

MAYOR HOLLISTER APOLOGIZED TO COUNCILMEMBER JONES FOR THIS MISUNDERSTANDING. HIS CONCERN WAS THE RECRUITMENT OF THE NECESSARY VOLUNTEERS. HE IS CONFIDENT THAT THEY WILL STILL MEET THE 600 RECRUIT QUOTA. HE ANNOUNCED A FUND RAISER FOR THE "LIGHT THE CITY" EVENT, CALLED "PIG OUT IN THE PLAZA" TO BE HELD ON WEDNESDAY, SEPTEMBER 10, 1997. HE NOTED THAT THIS WEEK IS UNION LABEL WEEK, AND THAT HE HAD MEANT TO HAVE A PROCLAMATION TO THAT EFFECT TO PRESENT AT THIS MEETING.

COUNCILMEMBER LILLY SAID THAT TOM DIXON, OWNER OF THE LANSING LUGNUTS, IS VERY CONCERNED ABOUT THE CONDITION OF THE INFELD AT OLDSMOBILE PARK. THE COMMITTEE OF THE WHOLE MAY TAKE THIS MATTER UP.

COUNCILMEMBER BEAL SAID THAT SHE WAS UNAVAILABLE TO ATTEND WELCOMING ACTIVITIES AT THE ELEMENTARY SCHOOLS, BECAUSE SHE VOLUNTEERED FOR STUDY HALL DUTY FOR THE LANSING BLACKHAWKS FOOTBALL TEAM. SHE



INTRODUCED RON WILSON, THE COUNCIL'S NEW LEGISLATIVE RESEARCH ANALYST.

► SPECIAL CEREMONIES

THERE WERE NO SPECIAL CEREMONIES

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 240 BY ADDING A NEW SECTION, 240.O1, FOR THE PURPOSE OF PROVIDING THAT THE HUMAN RELATIONS AND COMMUNITY SERVICE DEPARTMENT BE THE INITIAL INTAKE LOCATION FOR ALL EMPLOYEE-CONDUCT COMPLAINTS, AND THAT IT PERFORM A PRELIMINARY FACT-FINDING REVIEW BEFORE REFERRAL TO OTHER OFFICERS, DEPARTMENTS, BOARDS, AGENCIES, OR AUTHORITIES AND TO PROVIDE THAT THE DEPARTMENT ADOPT ADMINISTRATIVE RULES RELATED TO THE RECEIPT, FACT FINDING REVIEW AND REFERRAL OF EMPLOYEE CONDUCT COMPLAINTS

LESTER D. STONE, PASTOR OF FRIENDSHIP BAPTIST CHURCH STATED HIS APPRECIATION OF COUNCILMEMBER BENAVIDES' STATEMENTS RELATIVE TO DEFERRING ACTION ON THIS AMENDMENT UNTIL AFTER THE NOVEMBER GENERAL ELECTION TO ALLOW THE CITIZENS REVIEW BOARD BALLOT ISSUE TO BE DECIDED BEFORE THIS MEASURE IS IMPLEMENTED.

WILLY WILLIAMS 505 W. LENAWEE SAID THAT THE USA TODAY WEEKEND POOL REVEALED THAT 7 OUT OF 10 PEOPLE BELIEVE THAT THEIR POLICE DEPARTMENTS DO A GOOD JOB. HE COMMENDED LPD OFFICER TRACY JONES FOR THE RESCUE OF A 9 MONTH OLD BABY FROM DROWNING IN THE GRAND RIVER THIS WEEKEND.

CAROL WOOD OF 1018 W. LAPEER ASKED IF THIS ORDINANCE CAN BE ENFORCED UNDER THE LAW.

LLOYD TEETS OF 116 E. ELM ST. STATED HIS OPPOSITION TO THIS AMENDMENT AND TO THIS PUBLIC HEARING. HE SUGGESTED THAT CITIZENS READ THEIR CITY CHARTER.

LARRY FULK OF 1811 DAVIS, A FORMER EMPLOYEE OF THE HUMAN RELATIONS DEPARTMENT OF THE CITY OF LANSING, STATED HIS DISILLUSIONMENT OVER THE FACT THAT THIS DEPARTMENT HAS LOST ITS RESPECTABILITY. HE SUGGESTED THAT R.L. HESTOR BE PLACED IN CHARGE OF THE HUMAN RELATIONS DEPARTMENT.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. COMMENDED LPD OFFICER TRACY JONES. THE MARCH FOR JUSTICE HAS SAID ALL ALONG THAT THEY REALIZE THAT NOT ALL LANSING POLICE OFFICERS ARE RACIST.

FRANK CURTIS "X" SAID THAT HE DOES NOT SEE ANYTHING WRONG WITH THIS ORDINANCE, BUT HE WANTS THE CITIZENS REVIEW BOARD IMPLEMENTED BEFORE THIS IS PUT INTO PLACE.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH STATED HER SUPPORT FOR THIS AMENDMENT.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. IN CONSIDERATION OF Z-12-97; 101-121 E. GRAND RIVER AVE., PETITION FOR REZONING FROM "F-1" COMMERCIAL DISTRICT TO "G-1" BUSINESS DISTRICT FILED BY BFW RIVER WAREHOUSE, LLC TO PERMIT REHABILITATION OF THE HISTORIC STRUCTURES TO ALLOW FOR LOFT APARTMENT CONVERSIONS ON THE UPPER FLOORS AND RETAIL BUSINESS USES ON THE LOWER FLOORS

LLOYD TEETS OF 116 E. ELM ST. SPOKE IN SUPPORT OF THIS REZONING, WHICH, HE SAID, IS THE SITE OF THE OLD ESTES FURNITURE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. IN CONSIDERATION OF Z-13-97; 300 BLOCK OF NORTH CAPITOL (PARKING LOT #2), PETITION FOR REZONING FROM "E-1" APARTMENT SHOP AND "DM-4" RESIDENTIAL TO "G-1" BUSINESS DISTRICT FILED BY THE CITY OF LANSING TO ALLOW THE PROPERTY TO BE DEVELOPED FOR MULTIPLE USES

WILLY WILLIAMS OF 505 W. LENAWEE NOTED THAT THIS REZONING WILL ALLOW FOR THE TAKE-OVER OF A PARKING LOT. AT THE SAME TIME, OTHER PARKING LOTS ARE BEING BUILT IN OTHER PARTS OF THE CITY. HE BELIEVES THAT WE SHOULD PRESERVE EXISTING PARKING LOTS RATHER THAN BUILDING NEW ONES.

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

WILLY WILLIAMS OF 505 W. LENAWEE STATED HIS CONCERN OVER THE PROPOSAL AUTHORIZING THE CITY ATTORNEY TO RETAIN OUTSIDE LEGAL COUNSEL TO REPRESENT CITY EMPLOYEES AND FORMER EMPLOYEES DURING THE INVESTIGATION OF THE MELLING FORGE INCIDENT. HE ASKED IF ANYONE WAS FIRED BECAUSE OF THIS INCIDENT.

ANTONIA MIERNIK OF 629 W. LAPEER SAID THAT THE GENESEE NEIGHBORHOOD ASSOCIATION DOES NOT SUPPORT THE HISTORIC DISTRICT DESIGNATION IN HER AREA. THEY NEED REHABILITATION BEFORE THE DESIGNATION TAKES PLACE.

RUTH HALLMAN OF 1014 W. LAPEER STATED THAT SHE DOES NOT BELIEVE THAT HER NEIGHBORHOOD IS READY FOR AN HISTORIC DISTRICT DESIGNATION. PLANNING AND DEVELOPMENT IN HER AREA DO NOT OPERATE PROPERLY. THE MAJORITY OF HOMES IN HER NEIGHBORHOOD ARE RENTAL PROPERTIES. ANY CITY WITH OVER 50% RENTAL OCCUPANCY IS IN TROUBLE.

MENA COSTRICIONS OF 1928 VASSER SAID THAT SHE STRUGGLES TO PAY HER EMPLOYEES AND HER TAXES. BUSINESSES IN LANSING NEED SOME BREAK FROM THE TYPE OF EXPENSES THE CAPITOL HISTORIC DISTRICT WOULD PLACE ON THEM.

SOPHIA KOUTOUZOS OF 310 E. HILLSDALE SPOKE REGARDING DETERIORATED HOUSING IN THE CITY. THE CHERRY HILL HISTORIC DISTRICT NEIGHBORHOOD IS A MESS. THEY SHOULD NOT BE TOLD WHAT TO DO WITH THEIR OWN HOMES.



LLOYD TEETS OF 116 E. ELM STATED HIS SUPPORT OF CITY COUNCIL'S ACTIONS WITH REGARD TO THE INVESTIGATION OF THE MELLING FORGE TEAR GAS INCIDENT.

DARNELL OLDHAM, SR. OF 3815 BERWICK SAID THAT THE REPORT FROM THE BOARD OF POLICE COMMISSIONERS, WITH REGARD TO THE MELLING FORGE TEAR GAS INCIDENT WAS NOTHING BUT A WHITEWASH. THE MAYOR TOLD THEM WHAT THEY COULD AND COULD NOT INVESTIGATE.

RON KOENIG OF 626 W. WILLOW SAID THAT HE IS HERE AS A PROFESSIONAL AND A RESIDENT OF LANSING. HE EXPRESSED HIS DISAPPOINTMENT OVER THE FACT THAT THE CITY IS NOT TAKING CARE OF ITS HOUSES. HE ASKED COUNCIL TO MAKE AN INFORMED DECISION.

ROY MATTHEWS OF 4702 WOODCRAFT RD., IN OKEMOS, SAID THAT THE HISTORIC DISTRICT PROJECT IS IMPORTANT AND SHOULD BE CONSIDERED AS A BUILDING BLOCK.

BOB COCHRAN OF 403 N. SYCAMORE SPOKE IN SUPPORT OF THE ESTABLISHMENT OF AN CAPITOL HISTORIC DISTRICT AND APPROVAL OF THE STUDY COMMITTEE.

PETER CHIARAVALI OF 1500 W. SAGINAW, PRESIDENT OF THE WEST TOWN REHABILITATION DISTRICT, SAID THAT HE IS INTERESTED IN THE REHABILITATION OF THE CAPITOL AREA, BUT REHABILITATION WOULD BE HAMPERED BY THE ESTABLISHMENT OF AN HISTORIC DISTRICT. THEY WANT THEIR SECTION REMOVED FROM THE BOUNDARIES OF THE CAPITOL HISTORIC DISTRICT.

TERRY SCHLICHTER OF 418 N. SYCAMORE SAID THIS IS A MATTER OF PROPERTY RIGHTS AND WHAT THIS RESOLUTION DOES IS UNCONSTITUTIONAL.

GRETCHEN COCHRAN OF 403 N. SYCAMORE, A MEMBER OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION SAID THAT COUNCIL SHOULD CONSIDER THE ORIGINAL BOUNDARIES THAT THEY PROPOSED FOR THE CAPITOL HISTORIC DISTRICT.

SANDRA SVEC OF 617 W. GENESEE SAID THAT SHE SUPPORTS THE CAPITOL HISTORIC DISTRICT, BUT SHE WANTS THE ORIGINAL BOUNDARIES THAT WERE PROPOSED BY THE DOWNTOWN NEIGHBORHOOD ASSOCIATION. THEY HAVE MET WITH SURROUNDING NEIGHBORHOOD ASSOCIATIONS, WHO ALL SUPPORT THE ORIGINAL BOUNDARIES SUBMITTED BY THE DNA.

LANCE SCHADE OF 301 N. SYCAMORE SPOKE IN SUPPORT OF REDUCING THE SIZE OF THE BOUNDARIES FOR THE CAPITOL HISTORIC DISTRICT.

VICTORIA EARHART OF 301 N. SYCAMORE STATED HER SUPPORT FOR THE CAPITOL HISTORIC DISTRICT.

REVEREND D. ASAMOA OF 319 W. GENESEE, FROM ST. PAUL UNITED CHURCH OF CHRIST, AND A MEMBER OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION, STATED HIS SUPPORT FOR AN CAPITOL HISTORIC DISTRICT.

JANE MALLORY OF 712 W. IONIA STATED HER SUPPORT FOR THE CAPITOL HISTORIC DISTRICT, WITH THE BOUNDARIES ORIGINALLY PROPOSED BY THE DNA.

PATRICIA CORAN OF 307 N. SYCAMORE STATED HER SUPPORT OF THE CAPITOL HISTORIC DISTRICT WITH THE BOUNDARIES ORIGINALLY PROPOSED BY THE DNA.

RICHARD WILKIN OF 309 N. SYCAMORE STATED HIS SUPPORT FOR AN CAPITOL HISTORIC DISTRICT STUDY COMMITTEE AND THE BOUNDARIES ORIGINALLY PROPOSED BY THE DNA.

ELLEN KAYS OF 427 W. SHIAWASSEE SAID THAT PROPERTY VALUES IN THE PROPOSED CAPITOL HISTORIC DISTRICT WILL INCREASE DRAMATICALLY. SHE SUPPORTS THIS PROPOSAL, AND THE BOUNDARIES ORIGINALLY PROPOSED BY THE DNA.

JOAN SHELTON OF 726 SEYMOUR SAID THAT HER HOME HAS BEEN DESIGNATED AS AN HISTORIC STRUCTURE BY INGHAM COUNTY. SHE SUPPORTS ANYONE WHO WANTS TO BE A PART OF THIS.

SHARON KELLOG OF 421 W. IONIA COMPARED THE HISTORIC STRUCTURES IN DOWNTOWN LANSING TO THE VINTAGE OLDSMOBILE VEHICLES THAT WERE SEEN IN LANSING DURING THE CENTENNIAL CELEBRATION. THE LANSING DOWNTOWN AREA HAS LOT NEARLY 3,000 HISTORIC STRUCTURES. SHE SUPPORTS THE CAPITOL HISTORIC DISTRICT WITH THE BOUNDARIES ORIGINALLY PROPOSED BY THE DNA.

JENNY GRAU OF 201 LATHROP STATED HER SUPPORT FOR THE CAPITOL HISTORIC DISTRICT, AND THE BOUNDARIES ORIGINALLY PROPOSED BY THE DNA.

GINA NELSON OF 605 W. SHIAWASSEE SAID THAT SHE HAS MADE A COMMITMENT TO LIVE IN THE DOWNTOWN AREA. NOW SHE WOULD LIKE COUNCIL'S COMMITMENT TO CONSIDER THE ORIGINAL BOUNDARIES PROPOSED BY THE DNA.

ROGER NEWCOMB OF 720 N. WALNUT STATED HIS SUPPORT FOR THE CAPITOL HISTORIC DISTRICT WITH THE BOUNDARIES ORIGINALLY PROPOSED BY THE DNA.

STEPHANIE WHITBECK OF 620 W. IONIA SAID THAT SHE IS PROUD OF HER NEIGHBORHOOD, AND OF LANSING. THE FIRST STEP IS TO ESTABLISH THE CAPITOL HISTORIC DISTRICT WITH THE BOUNDARIES ORIGINALLY PROPOSED BY THE CAPITOL HISTORIC DISTRICT AND THE BOUNDARIES ORIGINALLY PROPOSED BY THE DNA.

ALEXANDER BOLT OF 1230 REO RD. STATED HIS OPPOSITION TO THE APPOINTMENT OF DON STYPULA TO THE PUBLIC SERVICE BOARD. HE MAKES A LIVING OF REPRESENTING GOVERNMENTS AND MUNICIPALITIES. THE STORM WATER ENTERPRISE FUND ORDINANCE IS ILLEGAL AND MR. STYPULA SHOULD KNOW THIS.

BARBARA BRADFORD OF 3125 N. CAMBRIDGE SAID THAT SHE IS A 20 YEAR MEMBER OF THE STATE EMPLOYEES CREDIT UNION AND SHE SUPPORTS ESTABLISHMENT OF THE CAPITOL HISTORIC DISTRICT. SHE HAS EXPERIENCED NO PARKING PROBLEMS. THE DOWNTOWN NEIGHBORHOOD ASSOCIATION SHOULD BE COMMENDED FOR MAKING LANSING A BETTER PLACE TO LIVE.

NEIL R. PARK OF 900 W. SAGINAW SAID THAT HE HAS BEEN IN BUSINESS IN LANSING FOR 27 YEARS. HE DOES NOT



SUPPORT THE CAPITOL HISTORIC DISTRICT.

TOM CROFF OF 1504 BLUE RIDGE SAID THAT HIS FAMILY HAS OWNED TOOLAN'S AT 918 W. SAGINAW FOR OVER SIXTY YEARS. HE HAS BEEN ACTIVE IN THE GENESEE NEIGHBORHOOD ASSOCIATION. THE BOUNDARIES PROPOSED BY THE DOWNTOWN NEIGHBORHOOD ASSOCIATION ARE ADEQUATE. HE DOES NOT WANT HIS BUSINESS INCLUDED IN THE DISTRICT.

CHRISTINE TIMMONS OF 300 E. ST. JOSEPH SAID THAT TAX PAYERS SHOULD NOT HAVE TO FOOT THE BILL FOR ESTABLISHMENT OF HISTORIC DISTRICTS. LANSING, SHE SAID, IS BEING "FOSSILIZED" AND SHOULD MOVE FORWARD.

BY COUNCILMEMBER JONES

TO SUSPEND THE RULES TO ALLOW PARENTS AND CHILDREN FROM THE BANCROFT PARK AREA TO ADDRESS COUNCIL AT THIS TIME REGARDING CONCERNS THEY HAVE OVER ENCROACHMENTS AT BANCROFT PARK

CARRIED UNANIMOUSLY

SUE EARECKSON OF 1403 INDIANA AVE. REFERRED TO PETITIONS FILED WITH THE CITY CLERK TO PROHIBIT ENCROACHMENT ON BANCROFT PARK BY THE GROESBECK GOLF COURSE. THE "FRIENDS OF BANCROFT PARK" ARE DEDICATED TO IT'S BEAUTIFICATION AND ENHANCEMENT. THE FRIENDS OF BANCROFT PARK WILL MEET AGAIN ON SATURDAY, OCTOBER 18.

COREY PARKS, NO ADDRESS GIVEN, A YOUNG FRIEND OF SUE EARECKSON STATED HIS SUPPORT FOR THE PROTECTION OF BANCROFT PARK FROM ENCROACHMENT BY GROESBECK GOLF COURSE.

ANDY BUSHAW, NO ADDRESS GIVEN, STATED HIS SUPPORT FOR THE PROTECTION OF BANCROFT PARK FROM ENCROACHMENT BY GROESBECK GOLF COURSE.

### LEGISLATIVE MATTERS RESOLUTIONS

THIS RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING HISTORIC DISTRICT COMMISSION, WITH THE SUPPORT OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION, HAS PROPOSED TO THE CITY COUNCIL THE ESTABLISHMENT OF A STUDY COMMITTEE PURSUANT TO CHAPTER 1220 OF THE LANSING CODE OF ORDINANCES TO CONDUCT A STUDY AND MAKE REPORTS AND RECOMMENDATIONS FOR A PROPOSED HISTORIC DISTRICT FOR THE AREA CONTAINED IN A CERTAIN DIAGRAM TITLED CAPITOL HISTORIC DISTRICT PROPOSAL AND DATED AND ON FILE WITH THE CITY CLERK; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING RECOMMENDS THE ESTABLISHMENT OF A HISTORIC DISTRICT

STUDY COMMITTEE FOR THE AREA ENCLOSED WITHIN AND BOUNDED BY SAGINAW STREET ON THE NORTH, M.L. KING JR. BOULEVARD ON THE WEST, I-496 ON THE SOUTH, AND THE GRAND RIVER ON THE EAST; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING CONSIDERED AND REJECTED THE INCLUSION FOR THE PROPOSED HISTORIC DISTRICT OF A RESOLUTION PERMITTED UNDER CITY ORDINANCE 1220.03 (F), WHICH WOULD REQUIRE ALL PERMIT APPLICATIONS WITHIN SAID PROPOSED DISTRICT BE REFERRED TO THE LANSING HISTORIC DISTRICT COMMISSION FOR ITS PRIOR FORMAL REVIEW AND ACTION; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING DECIDED THAT INSTEAD OF THE ORDINANCE 1220.03(F) REVIEW, IT FAVORS REVIEW OF PENDING WORK BY COUNCIL UNDER CITY ORDINANCE 1220.03(G) WHEREBY COUNCIL MAY GRANT MORATORIUM FOR PENDING WORK WITHIN THE PROPOSED HISTORIC DISTRICT ON THE STANDARD OF WHETHER SUCH WORK WOULD CAUSE IRREPARABLE HARM TO A RESOURCE OR THE RESOURCES; AND

WHEREAS, THE PENDING DEMOLITION PERMITS FOR THE STRUCTURES AT 525, 531 AND 535 SOUTH CAPITOL AVENUE, LANSING, HAS COME TO THE ATTENTION OF THE COMMITTEE ON DEVELOPMENT AND PLANNING AND IT HAS RECEIVED INFORMATION BOTH PRO AND CON AS TO THE HISTORIC SIGNIFICANCE OF THE STRUCTURES AND IS NOT RECOMMENDING THE ISSUANCE OF A MORATORIUM RESOLUTION FOR THESE PROPERTIES; AND

WHEREAS, THE STATE EMPLOYEES CREDIT UNION, OWNER OF 525, 531 AND 535 SOUTH CAPITOL AVENUE, LANSING, REPRESENTS THAT IT IS NEGOTIATING IN GOOD FAITH WITH AN ENTITY TO MOVE WITHOUT DEMOLISHING THE DWELLING STRUCTURES AT 531 AND 535 SOUTH CAPITOL AVENUE LANSING;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT THE LANSING CITY COUNCIL ESTABLISHES A HISTORIC DISTRICT STUDY COMMITTEE PURSUANT TO CHAPTER 1220 OF THE LANSING CODE OF ORDINANCES WITH THE POWERS AND DUTIES THEREUNDER TO CONDUCT STUDIES AND MAKE REPORTS AND RECOMMENDATIONS FOR THE AREA BOUNDED BY SAGINAW STREET ON THE NORTH, M.L. KING JR. BOULEVARD ON THE WEST, I-496 ON THE SOUTH, AND THE GRAND RIVER ON THE EAST, AS A PROPOSED HISTORIC DISTRICT UNDER SAID CHAPTER.

BE IT FINALLY RESOLVED THAT WHILE THE STUDY COMMITTEE PERFORMS ITS WORK, THE CITY COUNCIL MAY CONSIDER, GRANT AND DECLARE BY RESOLUTION UNDER SUBSECTION 1220.03(G) OF THE LANSING CODE OF ORDINANCES EMERGENCY MORATORIUMS ON PENDING WORK WITHIN THE PROPOSED DISTRICT AND WITH THE RESULT THAT PENDING PERMIT APPLICATIONS FOR THE WORK WILL BE SUMMARILY DENIED.

BY COUNCILMEMBER NOVAK

TO SUSPEND THE RULES

ADOPTED BY THE FOLLOWING VOTE:



YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, JONES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS BENAVIDES, LILLY

BY COUNCILMEMBER NOVAK

TO DISCHARGE THE COMMITTEE ON DEVELOPMENT AND PLANNING FROM CONSIDERATION OF THIS ISSUE

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, JONES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS BENAVIDES, LILLY

BY COUNCILMEMBER NOVAK

TO ADD A RESOLUTION, AS A LATE ITEM, DEALING WITH THE ISSUE OF THE CAPITAL HISTORIC DISTRICT

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: COUNCILMEMBER LILLY

BY COUNCILMEMBER NOVAK

TO PLACE AN AFFIRMATIVE ROLL ON THE FOLLOWING RESOLUTION FOR THE CAPITAL HISTORIC DISTRICT WITH THE FOLLOWING AMENDMENT INCORPORATED:

► 1. IN THE EIGHTH (8TH) WHEREAS, CLAUSE INSERT THE WORD "DEMOLITION" FOLLOWING THE WORDS "REQUESTS FOR" SO THAT THE PARAGRAPH READS AS FOLLOWS:

"WHEREAS, THE CITY COUNCIL FINDS THAT SUBSTANTIAL EVIDENCE EXISTS WHICH INDICATES THE PRESENCE OF HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL, ENGINEERING, OR CULTURAL SIGNIFICANCE WITHIN THE PROPOSED CAPITOL HISTORIC DISTRICT AS EVIDENCED BY SURVEYS OF HISTORIC PROPERTIES AND AUTHORIZED PLANS ADDRESSING HISTORIC PRESERVATION WITHIN THE BOUNDARIES OF THE PROPOSED CAPITOL HISTORIC DISTRICT, INCLUDING A SURVEY WHICH WAS TITLED "MEMORANDUM '76' (1976), THE RIVER ISLAND AREA COMPREHENSIVE PLAN 1997 (1978), THE LANSING HISTORIC BUILDING INVENTORY (1983), THE SURVEY WHICH WAS TITLED "1986 LANSING RECONNAISSANCE SURVEY" (1986), AND THE "LANSING, GOALS AND OBJECTIVES FOR THE TWENTY-FIRST CENTURY" (1993), ALL OF WHICH DETERMINED THAT HISTORICAL PROPERTIES EXIST WITHIN THE STUDY AREA AND WHICH RECOMMENDED THAT HISTORIC DISTRICTS BE CREATED TO PROTECT HISTORIC RESOURCES WITHIN THE BOUNDARIES OF THE PROPOSED CAPITOL HISTORIC DISTRICT WHICH IS SUFFICIENT FOR THE CITY COUNCIL TO

CONCLUDE THAT IT IS APPROPRIATE FOR THE CITY TO PLACE A MORATORIUM ON REQUESTS FOR DEMOLITION PERMITS WHICH WOULD CAUSE IRREPARABLE HARM TO THE PROPOSED CAPITOL HISTORIC DISTRICT AND/OR ANY RESOURCE WITHIN ITS BOUNDARIES DURING THE STUDY; AND

► 2. IN THE "NOW THEREFORE BE IT RESOLVED CLAUSE" AT THE END OF THE PARAGRAPH, FOLLOWING THE WORD "CODE" INSERT THE FOLLOWING STATEMENT:

"AND SUCH STUDY COMMITTEE IS HEREBY CREATED"

► 3. IN THE NEXT PARAGRAPH, THE "BE IT FURTHER RESOLVED" CLAUSE CORRECT THE SECTION NUMBERS TO READ 1220.03 (F) AND 1220.03 (G)

► 4. THE MAP CONTAINING THE BOUNDARIES OF THE PROPOSED CAPITOL HISTORIC DISTRICT SHALL BE AMENDED TO INCLUDE A DESIGNATION WHICH INDICATES THE EXCEPTION OF 525 S. CAPITAL AVE. FROM THE DEMOLITION MORATORIUM

BY COUNCILMEMBER LILLY

TO NOTE HIS OBJECTIONS AND THAT THIS RESOLUTION ELIMINATES THE CREDIT UNION'S RIGHT TO DUE PROCESS, AND TO CALL THE QUESTION ON THE PASSAGE OF THE RESOLUTION TO A VOTE

CARRIED UNANIMOUSLY

COUNCILMEMBER NOVAK'S MAIN MOTION FOR AFFIRMATIVE ROLL ON THE RESOLUTION, AS AMENDED, WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, JONES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS BENAVIDES, LILLY

AT THE REQUEST OF COUNCILMEMBER NOVAK THE FOLLOWING SUMMARY NOTATION WAS ADDED:

"THAT THE CLERK MAKE A NOTATION SUMMARIZING THE DISCUSSION PRECEDING THIS VOTE; CLEARLY INDICATING HIS INTENT THAT THE ONLY PERMITS WHICH SHALL BE IMPACTED THROUGH REVIEW BY THE CAPITOL HISTORIC DISTRICT ARE PERMITS FOR DEMOLITION"

COUNCILMEMBER NOVAK'S RESOLUTION AS AMENDED FOLLOWS:

**RESOLUTION #481**

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING HISTORIC DISTRICT COMMISSION, WITH THE SUPPORT OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION HAS PROPOSED TO THE CITY COUNCIL THE ESTABLISHMENT OF THE PROPOSED CAPITOL HISTORIC



DISTRICT AND A STUDY COMMITTEE PURSUANT TO CHAPTER 1220 OF THE LANSING CODE OF ORDINANCES TO CONDUCT A STUDY AND MAKE REPORTS AND RECOMMENDATIONS FOR A PROPOSED HISTORIC DISTRICT

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING RECOMMENDED THE ESTABLISHMENT OF A HISTORIC DISTRICT STUDY COMMITTEE FOR THE AREA ENCLOSED WITHIN AND BOUNDED BY SAGINAW STREET ON THE NORTH, M.L. KING BOULEVARD ON THE WEST, I-496 ON THE SOUTH, AND THE GRAND RIVER ON THE EAST; AND

WHEREAS, THE CITY COUNCIL HAS REVIEWED THE PROPOSED BOUNDARIES RECOMMENDED BY THE COMMITTEE ON DEVELOPMENT AND PLANNING AND BELIEVES THAT SUCH BOUNDARIES SHOULD BE MODIFIED TO EXCLUDE CERTAIN AREAS, AS REFERENCED IN THE ATTACHED APPENDIX A; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING CONSIDERED AND REJECTED THE INCLUSION FOR THE PROPOSED HISTORIC DISTRICT OF A RESOLUTION PERMITTED UNDER CITY ORDINANCE 1220.03(F) WHICH WOULD REQUIRE ALL PERMIT APPLICATIONS WITHIN SAID PROPOSED DISTRICT BE REFERRED TO THE LANSING HISTORIC DISTRICT COMMISSION FOR ITS PRIOR FORMAL REVIEW AND ACTION; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING DECIDED THAT INSTEAD OF THE ORDINANCE 1220.032(F) REVIEW, IT FAVORED REVIEW OF PENDING WORK BY COUNCIL UNDER CITY ORDINANCE 1220(G) WHEREBY COUNCIL MAY GRANT MORATORIUM FOR PENDING WORK WITHIN THE PROPOSED HISTORIC DISTRICT ON THE STANDARD OF WHETHER SUCH WORK WOULD CAUSE IRREPARABLE HARM TO A RESOURCE OR THE RESOURCES; AND

WHEREAS, THE PENDING DEMOLITION PERMITS FOR THE STRUCTURES AT 525, 531 AND 535 SOUTH CAPITOL AVENUE, LANSING CAME TO THE ATTENTION OF THE COMMITTEE ON DEVELOPMENT AND PLANNING AND IT RECEIVED INFORMATION BOTH PRO AND CON AS TO THE HISTORIC SIGNIFICANCE OF THE STRUCTURES AND DID NOT RECOMMEND THE ISSUANCE OF A MORATORIUM RESOLUTION FOR THESE PROPERTIES; AND

WHEREAS, THE STATE EMPLOYEES CREDIT UNION, OWNER OF 525, 531 AND 535 SOUTH CAPITOL AVENUE, LANSING, REPRESENTS THAT IT IS NEGOTIATING IN GOOD FAITH WITH AN ENTITY TO MOVE WITHOUT DEMOLISHING THE DWELLING STRUCTURES AT 531 AND 535 SOUTH CAPITOL AVENUE, LANSING; AND

WHEREAS, THE CITY COUNCIL FINDS THAT SUBSTANTIAL EVIDENCE EXISTS WHICH INDICATES THE PRESENCE OF HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL, ENGINEERING, OR CULTURAL SIGNIFICANCE WITHIN THE PROPOSED CAPITOL HISTORIC DISTRICT AS EVIDENCED BY SURVEYS OF HISTORIC PROPERTIES AND AUTHORIZED PLANS ADDRESSING HISTORIC PRESERVATION WITHIN THE BOUNDARIES OF THE PROPOSED CAPITOL HISTORIC DISTRICT, INCLUDING A SURVEY WHICH WAS TITLED "MEMORANDUM 176" (1976), THE RIVER ISLAND AREA COMPREHENSIVE PLAN 1990 (1978), THE LANSING HISTORIC BUILDING INVENTORY (1983), THE SURVEY WHICH WAS TITLED "1986 LANSING RECONNAISSANCE SURVEY" (1986), AND THE "LANSING, GOALS AND OBJECTIVES FOR THE TWENTY-FIRST CENTURY" (1993), ALL OF WHICH DETERMINED THAT

HISTORICAL PROPERTIES EXIST WITHIN THE STUDY AREA AND WHICH RECOMMENDED THAT HISTORIC DISTRICTS BE CREATED TO PROTECT HISTORIC RESOURCES WITHIN THE BOUNDARIES OF THE PROPOSED CAPITOL HISTORIC DISTRICT WHICH IS SUFFICIENT FOR THE CITY COUNCIL TO CONCLUDE THAT IT IS APPROPRIATE FOR THE CITY TO PLACE A MORATORIUM ON REQUESTS FOR *DEMOLITION* PERMITS WHICH WOULD CAUSE IRREPARABLE HARM TO THE PROPOSED CAPITOL HISTORIC DISTRICT AND/OR ANY RESOURCE WITHIN ITS BOUNDARIES DURING THE STUDY; AND

WHEREAS, THE CITY COUNCIL OF THE CITY OF LANSING HAS DETERMINED THAT THE FINDING OF SUBSTANTIAL EVIDENCE SHOWING THE PRESENCE OF HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL, ENGINEERING, OR CULTURAL SIGNIFICANCE IN THE PROPOSED CAPITOL HISTORIC DISTRICT AND THE EXISTENCE OF PENDING DEMOLITION PERMITS FOR THREE PROPERTIES WITHIN THE BOUNDARIES OF THE PROPOSED HISTORIC DISTRICT IS SUFFICIENT TO INCLUDE THE PROVISIONS OF 1220.03(F), 1220.03(G) AND 1220.13 OF THE CODE OF ORDINANCES.

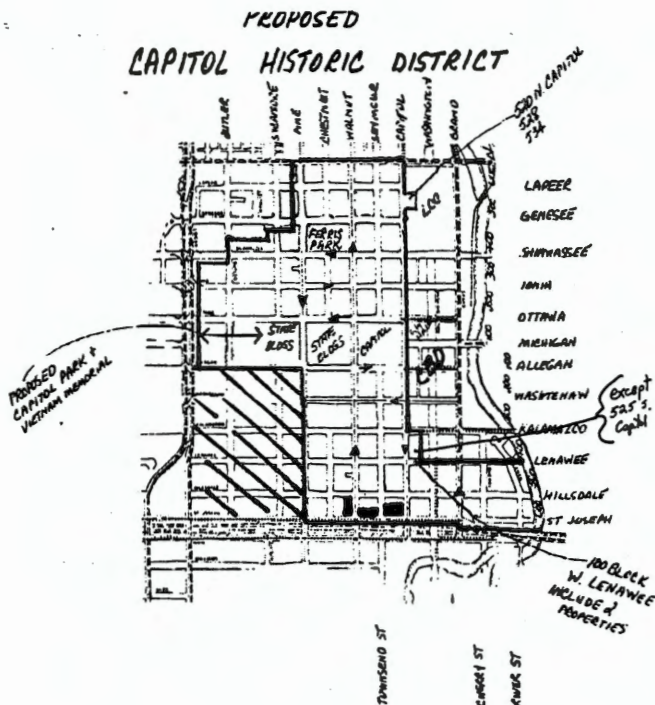
NOW, THEREFORE IT IS HEREBY RESOLVED THAT THE CITY COUNCIL FINDS THAT SUBSTANTIAL EVIDENCE EXISTS WHICH INDICATES THE PRESENCE OF HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL, ENGINEERING OR CULTURAL SIGNIFICANCE WITHIN THE PROPOSED CAPITOL HISTORIC DISTRICT AND THAT PURSUANT TO CHAPTER 1220 OF THE CODE OF ORDINANCES, THE CITY COUNCIL ESTABLISHES THE PROPOSED CAPITOL HISTORIC DISTRICT AS A PUBLIC PURPOSE, WITH THE BOUNDARIES ATTACHED TO THIS RESOLUTION BY APPENDIX A AND INCORPORATED HEREIN BY REFERENCE AND THAT THE PROCEDURE FOR ESTABLISHMENT SHALL BE ACCORDING TO SECTION 1220.03 OF THE CODE OF ORDINANCES WHICH CREATES A STUDY COMMITTEE TO CONDUCT A STUDY, MAKE A PRELIMINARY REPORT AND CONDUCT A PUBLIC HEARING AND THAT APPOINTMENTS TO THE STUDY COMMITTEE SHALL BE CONSISTENT WITH SECTION 1220.03 OF THE CODE, *AND SUCH STUDY COMMITTEE IS HEREBY CREATED; AND*

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL MAKES A FINDING OF IRREPARABLE HARM AND DECLARES AN EMERGENCY MORATORIUM FOR A PERIOD OF SIX (6) MONTHS FOR DEMOLITION PURSUANT TO SECTIONS 1220.03(F) AND 1220.03(G) OF THE CODE OF ORDINANCES; AND

BE IT FINALLY RESOLVED THAT THE CITY COUNCIL SHALL ALLOW THE STATE EMPLOYEES CREDIT UNION TO DEMONSTRATE TO THE CITY OF LANSING THAT ALL FINANCING, PERMITS, APPROVALS, SITE ACQUISITION AND PREPARATION HAVE BEEN OBTAINED IN ORDER TO MOVE THE THREE (3) SOUTH CAPITOL AVENUE PROPERTIES AND THAT THEY WILL, THEREFORE, BE MOVED AND NOT DEMOLISHED.

MOTION FOR ADOPTION PASSED BY A 5/2 VOTE PLEASE SEE THE MOTIONS PRECEDING THIS RESOLUTION FOR THE VOTE





**RESOLUTION #482**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED DON STYPULA,  
2318 TULANE, TO THE PUBLIC SERVICE BOARD FOR A TERM TO  
EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS  
RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF  
DON STYPULA TO THE BOARD OF PUBLIC SERVICE FOR A TERM  
TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED  
FOR THIS VOTE)

**RESOLUTION #483**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED PHILIP ALDERFER,  
139 SOUTH CLEMENS AVENUE TO THE PARK BOARD FOR A  
TERM TO EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS  
RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT  
OF PHILIP ALDERFER TO THE PARK BOARD FOR A TERM TO  
EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED  
FOR THIS VOTE)

**RESOLUTION #484**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED MARY MARGARET  
MURPHY WOLL TO THE PARK BOARD FOR A TERM TO EXPIRE  
JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS  
RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY  
COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT  
OF MARY MARGARET MURPHY WOLL TO THE PARK BOARD  
FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED  
FOR THIS VOTE)

**RESOLUTION #485**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, COUNCIL HAS RETAINED THE FIRM OF JOSEPH  
YOUNG & ASSOCIATES TO INVESTIGATE THE CIRCUMSTANCES  
SURROUNDING THE USE OF TEAR GAS AT THE MELLING  
FORGE FACILITY ON MAY 29, 1997-Y

WHEREAS, THE CITY OF LANSING AND THE LANSING POLICE  
DEPARTMENT ARE NAMED DEFENDANTS IN A CIVIL LAWSUIT  
INVOLVING THIS INCIDENT;

WHEREAS, THE POSSIBILITY EXISTS THAT CITY EMPLOYEES  
INTERVIEWED BY JOSEPH YOUNG & ASSOCIATES MAY BE  
ADDED AS NAMED DEFENDANTS IN THIS CIVIL SUIT,

WHEREAS, THE CITY OF LANSING IS LEGALLY OBLIGATED BY  
CONTRACT OR UNION AGREEMENT TO REPRESENT, HOLD  
HARMLESS, AND INDEMNIFY CITY EMPLOYEES IN LEGAL  
ACTIONS ARISING OUT OF THE COURSE OF THEIR  
EMPLOYMENT;



WHEREAS, THE OFFICE OF THE CITY ATTORNEY IS CURRENTLY INVOLVED IN ASSISTING COUNCIL'S INVESTIGATION AND IN ASSISTING IN THE DEFENSE OF THE CIVIL SUIT AGAINST THE CITY SO THAT A CONFLICT OF INTEREST WOULD EXIST IF IT REPRESENTED CITY EMPLOYEES INTERVIEWED BY JOSEPH YOUNG & ASSOCIATES;

WHEREAS, JOSEPH YOUNG & ASSOCIATES HAS CURRENTLY IDENTIFIED SIX CITY EMPLOYEES AND ONE FORMER EMPLOYEE (AND PERHAPS OTHERS) THAT IT WISHES TO INTERVIEW IN CONNECTION WITH THIS INVESTIGATION WHO WERE ACTING WITHIN THE SCOPE OF THEIR EMPLOYMENT; AND

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL AUTHORIZES THE CITY ATTORNEY TO SELECT AND RETAIN OUTSIDE COUNSEL TO REPRESENT CITY EMPLOYEES AND FORMER EMPLOYEES DURING INTERVIEWS CONDUCTED BY JOSEPH YOUNG & ASSOCIATES IN THE COURSE OF ITS MELLING FORGE INVESTIGATION.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

**RESOLUTION #486**

BY THE AD HOC COMMITTEE ON PERSONNEL  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY COUNCIL OF THE CITY OF LANSING HAS DETERMINED THAT IT IS NECESSARY TO REORGANIZE ITS PRESENT LEGISLATIVE STAFF IN LIGHT OF THE UPCOMING DISCONTINUANCE OF THE POSITION OF PRINCIPAL LEGISLATIVE ASSISTANT;

WHEREAS, THE CITY COUNCIL OF THE CITY OF LANSING HAS CHOSEN TO CREATE A NEW POSITION WITH THE TITLE LEGISLATIVE RESEARCH ANALYST;

NOW THEREFORE, BE IT RESOLVED THAT THE POSITION OF PRINCIPAL LEGISLATIVE ASSISTANT THAT IS REFLECTED ON THE CITY COUNCIL'S TABLE OF ORGANIZATION BE DISCONTINUED AS OF SEPTEMBER 30, 1997; AND

BE IT FURTHER RESOLVED THAT THE POSITION OF LEGISLATIVE RESEARCH ANALYST, REPORTING DIRECTLY TO THE PRESIDENT OF THE CITY COUNCIL, THE VICE-PRESIDENT OF THE CITY COUNCIL, AND TO THE CITY COUNCIL, BE CREATED AS OF SEPTEMBER 2, 1997; AND

BE IT FURTHER RESOLVED THAT THE TABLE OF ORGANIZATION OF THE CITY COUNCIL OF THE CITY OF LANSING BE AMENDED TO REFLECT THE DISCONTINUANCE OF THE POSITION OF PRINCIPAL LEGISLATIVE ASSISTANT AS OF SEPTEMBER 30, 1997; AND

BE IT FURTHER RESOLVED THAT THE TABLE OF ORGANIZATION OF THE CITY COUNCIL OF THE CITY OF LANSING BE AMENDED TO REFLECT THE CREATION OF THE POSITION OF LEGISLATIVE RESEARCH ANALYST; AND

BE IT FURTHER RESOLVED THAT THE PRESIDENT OF THE CITY COUNCIL IS AUTHORIZED TO EXECUTE AN AGREEMENT TO EMPLOY A PERSON AS LEGISLATIVE RESEARCH ANALYST AS OF SEPTEMBER 2, 1997; AND

BE IT FURTHER RESOLVED THAT THE POSITION OF LEGISLATIVE RESEARCH ANALYST SHALL BE REFLECTED ON THE TABLE OF ORGANIZATION OF THE CITY COUNCIL OF THE CITY OF LANSING AS REPORTING DIRECTLY TO THE PRESIDENT OF THE CITY COUNCIL, THE VICE-PRESIDENT OF THE CITY COUNCIL, AND TO THE CITY COUNCIL; AND

BE IT FINALLY RESOLVED THAT THE POSITION OF LEGISLATIVE RESEARCH ANALYST SHALL BE SUBJECT TO A PROBATIONARY PERIOD OF SIX (6) MONTHS.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

**RESOLUTION #487**

BY COUNCILMEMBER SANDY ALLEN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL EXTENDS THEIR BEST WISHES TO PASTOR TOM BAYES WHO IS LEAVING JUDSON MEMORIAL BAPTIST CHURCH TO ACCEPT A PASTORATE POSITION IN PEORIA, ILLINOIS; AND

WHEREAS, PASTOR BAYES HAS BEEN SERVING THE CONGREGATION OF JUDSON MEMORIAL BAPTIST CHURCH FOR 14 YEARS AND PROVIDED CHRISTIAN SERVICES TO MANY PEOPLE; AND

WHEREAS, PASTOR BAYES BEGAN SEVERAL COMMUNITY MINISTRIES WHICH INCLUDED THE LOVE CLOTHING CENTER AND THE SOUTHSIDE SOUP KITCHEN, AND WAS ALSO INVOLVED IN STARTING NEW CHURCHES, AS WELL AS PARTICIPATING IN THE NEIGHBORHOOD WATCH PROGRAM AS WELL AS OTHER GROUPS AND PROGRAMS; AND

WHEREAS, THE ALPHA MINISTRY FOR MENTALLY IMPAIRED WAS DEVELOPED BY MEMBERS OF JUDSON MEMORIAL AND OTHER CONGREGATIONS TO BEGIN A PROGRAM OF CHRISTIAN EDUCATION FOR PERSONS WITH MENTAL IMPAIRMENTS WHICH RECENTLY CELEBRATED ITS 10TH ANNIVERSARY; AND

WHEREAS, PASTOR BAYES TOUCHED THE LIVES OF MANY CITIZENS NOT ONLY FROM THE CONGREGATION BUT THE SURROUNDING COMMUNITY AS WELL, AND WILL BE MISSED BY MANY PEOPLE;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION THIS 2ND DAY OF SEPTEMBER, 1997, HEREBY PAYS TRIBUTE TO PASTOR TOM BAYES AND EXTENDS THEIR MOST SINCERE WELL WISHES TO HIM, WIFE DIANNE, AND SON BRANDON ON THEIR UPCOMING ENDEAVORS.



BY COUNCILMEMBER ALLEN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY RELATED MATTERS

DARNELL OLDHAM, SR. OF 3815 BERWICK URGED EVERYONE TO VOTE IN FAVOR OF THE CITIZENS REVIEW BOARD AT THE NOVEMBER GENERAL ELECTION BALLOT.

ALEXANDER BOLT OF 1230 REO RD. THANKED COUNCILMEMBER JONES FOR VOTING NO ON THE APPOINTMENT OF DONALD STYPULA TO THE PUBLIC SERVICE BOARD.

REVEREND ANDREW BRODIE OF 1114 GLENN COMMENDED THE CITIZENS OF LANSING WHO PICKETED THE FOOD COURT AT RIVERFEST. HE STATED HIS SUPPORT OF THE CITIZENS REVIEW BOARD.

PENNY STRANG, NO ADDRESS, SAID THAT SHE RESENTS THE FACT THAT THE CHERRY HILL NEIGHBORHOOD WAS DRAWN INTO THE CONTROVERSY OVER THE CAPITOL HISTORIC DISTRICT, AND MADE A PART OF THAT DESIGNATION.

WILLY WILLIAMS OF 505 W. LENAWEE ASKED FOR A STATUS REPORT ON THE REPAIR OF THE CITY HALL BASEMENT PARKING AREA. RESIDENTS INTERESTED IN RECALLING PAULINE JOHNSON-WEST FROM THE BOARD OF EDUCATION MAY CALL 374-4508 FOR FURTHER INFORMATION. HE SUGGESTED THAT RESIDENTS CALL MR. TEETS REGARDING HIS CRIMINAL HISTORY, AND SAID THAT COUNCILMEMBER LILLY IS ABSENT TOO MUCH.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT THE STATE EMPLOYEES CREDIT UNION WAS NOT AFFORDED DUE PROCESS IN TONIGHT'S PROCEEDINGS, AND HE SUGGESTS THAT THE RULES BE CHANGED.

HELEN FISER OF 12100 S. CORK RD., IN MORRICE, MI SPOKE REGARDING THE CSO PROJECT. SHE STATED HER COMMITMENT TO THIS PROJECT, BUT THAT SHE COULD NOT ATTEND THE FOCUS WORKSHOPS BECAUSE OF SCHEDULING DIFFICULTIES.

CHRISTINE TIMMON OF 335 E. ST. JOE SAID THAT THE CSO WORKSHOP TOOK A VERY HI-TECH APPROACH TO THE PROJECT. GARY BOZEK, CAROL WOODS, AND CHRISTINE TIMMON WERE CITIZEN PARTICIPANTS. SHE DOES NOT OPPOSE ALL HISTORIC DISTRICTS, BUT SHE FEELS THAT WHAT HAPPENED TONIGHT WAS ILLEGAL.

### CITY OFFICER & BOARD REPORTS

1. INFORMATION-ONLY ITEMS FROM THE CITY CLERK:

LETTER FROM THE CITY CLERK NOTIFYING COUNCILMEMBERS OF THE RECEIPT OF MINUTES FROM CITY BOARD AND AUTHORITIES

RECEIVED AND PLACED ON FILE

2. LETTER FROM THE CITY ATTORNEY RE: DESIGNATION OF NON-PROFIT STATUS - GREATER LANSING NON-PROFIT HOUSING CORPORATION

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: PUBLIC SERVICE, HUMAN RELATIONS AND COMMUNITY SERVICES, PARKS & RECREATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. LETTER OF APPRECIATION FROM JAMES A. RAPP PROFESSIONAL DEVELOPMENT COORDINATOR TO THE LPD

RECEIVED AND PLACED ON FILE

C. PROPOSAL FOR RENAMING KINGSLEY COMMUNITY CENTER IN HONOR OF DICK AND OLIVIA LETTS

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. LETTERS OF APPRECIATION FROM DAVE WEISENBERG, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL #421 AND THE MICHIGAN ASSOCIATION OF FFA TO LFD

RECEIVED AND PLACED ON FILE

E. ADMINISTRATIVE TRANSFERS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F. APPOINTMENT OF CHARLES CREAMER TO THE BOARD OF WATER & LIGHT FOR A TERM TO EXPIRE JUNE 30, 1998.

REFERRED TO THE COMMITTEE OF THE WHOLE

G. REAPPOINTMENT OF CHARLOTTE S. SINADINOS TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 2000.

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

H. REAPPOINTMENT OF CHARLES JANSSEN TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 2000.

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY



1. LETTERS FROM CHRISTINE TIMMON OF 335 E. ST. JOSEPH REGARDING THE CSO CONTROL PROJECT EVALUATION WORKSHOP, AND THE PROPOSAL FOR AN HISTORICAL DISTRICT IN THE 500 BLOCK OF CAPITOL AVE.

REFERRED TO THE MAYOR

2. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES SUBMITTING NOTICE OF THE WITHDRAWAL OF APPLICATION FOR AN ADULT FOSTER CARE SMALL GROUP HOME BY MID MICHIGAN RESIDENTIAL SERVICE, DORIS ANN JACKSON 5519 HAAG RD.

RECEIVED AND PLACED ON FILE

3. STORMWATER ENTERPRISE FUND APPEALS FROM: LARRY ROSS 2403 E. CAVANAUGH, JANET F. THAYER 2812 NORTHWEST AVE., FREDRICK CAMPBELL 731 PRINCETON, MARK LANGSCHWAGER 6212 ROSEDALE, PATRICK STEFANNICK 659 W. FAIRFIELD, COUNTRY CLUB OF LANSING 2200 MOORES RIVER DR., DANIEL E. BENSON 4316 CHRISTIANSEN RD., MILLER ASSOCIATES 0000 S. WAVERLY RD., JAMES & SUZANNE STURDEVANT LOT 38, RAVENSWOOD HEIGHTS SUBDIVISION, TRACY SMITH 6243 HILLIARD RD., DON SANDERSON 3711 CHRISTIANSEN RD. 1903 FERROL 2107 FERROL, WALTER & LEONA SHERWOOD 3130 FELT ST.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

4. LETTERS IN SUPPORT OF THE ESTABLISHMENT OF A DOWNTOWN HISTORIC DISTRICT FROM: KATHERINE DRAPER 717 CONLEY AVE., GLENDA FERNANDEZ 121 E. JOLLY #D-6, NANCY J. MOODEY 326 W. OTTAWA, DONNA BREEDEN, 613 W. SHIAWASSEE, CAROL SKILLINGS 701 MCKIM AVE., BRIAN T. HUGGLER & SPARTAN REAL ESTATE, JAMES P. HALLAN & MICHIGAN RETAILERS ASSOCIATION,

RECEIVED AND PLACED ON FILE

5. LETTER IN OPPOSITION TO THE DOWNTOWN HISTORIC DISTRICT FROM THE GENESEE NEIGHBORHOOD ASSOCIATION

RECEIVED AND PLACED ON FILE

6. LETTER OF APPRECIATION FROM THE RESIDENTS OF LANCEN VILLAGE, SOUTHBROOK HILLS SUBDIVISION, TWIN OAKS CONDOMINIUMS, AND CEDAR PLACE SENIOR CITIZEN APARTMENTS TO COUNCILMEMBERS ALLEN, LILLY, JONES, BAUER, BEAL,

RECEIVED AND PLACED ON FILE

7. LETTER FROM DONALD BRYHAM OF 2001 W. MT. HOPE AVE. #330 REGARDING THE UNAVAILABILITY OF THE CITY GOVERNMENT ACCESS CHANNEL ON HIS CABLE TELEVISION SYSTEM

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

8. LETTER FROM ATTORNEYS ON BEHALF OF DEWITT L.L.C. REQUESTING DESIGNATION OF ONE OF THE TWO REMAINING CITY OF LANSING NEW CLASS C LIQUOR LICENSES

REFERRED TO THE CITY CLERK

9. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES LIQUOR CONTROL COMMISSION SUBMITTING NOTICE OF CANCELLATION OF A REQUEST TO TRANSFER LOCATION OF CLASS C FROM CAPITAL CATERING, INC. c/o M. CAROL BAMBERY

RECEIVED AND PLACED ON FILE

10. PETITION SIGNED BY 828 RESIDENTS AND NON-RESIDENTS REQUESTING THAT BANCROFT PARK NOT BE USED OR ENCROACHED UPON BY GROESBECK GOLF COURSE

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

11. LETTER FROM LORI PHILLIPS OF P.O. BOX 80721 SUGGESTING THAT THE CITIZENS REVIEW BOARD BE ESTABLISHED TO INVESTIGATE COMPLAINTS AGAINST CITIZENS, AS WELL AS POLICE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. LETTER FROM DEE GRIFFITHS, PRESIDENT OF THE CAPITAL CITY RIVERFEST SUBMITTING A MEMO FROM THE INGHAM COUNTY HEALTH DEPARTMENT REGARDING THE HISPANIC CULTURAL CENTER

RECEIVED AND PLACED ON FILE

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER ALLEN STATED HER DISSATISFACTION WITH THE FACT THAT COUNCILMEMBER COMMENTS ARE ONE OF THE LAST ITEMS ON THE AGENDA, AND USUALLY TAKE PLACE SO LATE IN THE EVENING. SHE ANNOUNCED THAT THE PUBLIC SAFETY COMMITTEE HAS TAKEN UP THE ISSUE OF TRUANCY AND ESTABLISHED PROCEDURES FOR DEALING WITH IT. IN DECEMBER THERE WILL BE A SWEEP. PARENTS WILL BE NOTIFIED AND \$50.00 CITATIONS WILL BE ISSUED. PARENTS WILL BE REQUIRED TO ESCORT THESE CHILDREN TO SCHOOL TO ENSURE THEIR ARRIVAL. THIS TYPE OF POLICY HAS BEEN SUCCESSFULLY INSTITUTED IN OTHER CITIES.

COUNCILMEMBER NOVAK CONGRATULATED THE PUBLIC SAFETY COMMITTEE AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE ON THEIR JOINT MEETINGS TO DEVELOP THE TRUANCY PROGRAM. HE NOTED THAT HOME OWNERS IN THE NEWLY ESTABLISHED CAPITOL HISTORIC DISTRICT WILL NO LONGER BE ABLE TO OBTAIN PERMITS FOR DEMOLITION OF THEIR HOMES. HENCEFORTH, IT WILL BE NECESSARY FOR THEM TO APPEAR BEFORE THE CAPITOL HISTORIC DISTRICT STUDY COMMITTEE IF THEY WISH TO OBTAIN DEMOLITION PERMITS. THE DEMOLITION PERMIT IS THE ONLY PERMIT AFFECTED BY THE RESOLUTION ADOPTED TONIGHT.

COUNCILMEMBER BENAVIDES STATED HIS DISAPPROVAL OF THE ACTIONS THAT TOOK PLACE AT TONIGHT'S MEETING. HE BELIEVES THAT IT WAS A "LOW BLOW" FOR COUNCILMEMBER NOVAK TO MOVE TO DISCHARGE THE COMMITTEE ON DEVELOPMENT AND PLANNING ON THE HISTORIC DISTRICT ISSUE AGAINST THE CONSENT OF THE CHAIR OF THAT COMMITTEE.

COUNCILMEMBER LEEMAN NOTED THAT TINA GALLENTI, CITY COUNCIL STAFF MEMBER WILL BE TAKING CARE OF THE

BASEBALL HALL OF FAME PLAQUES. HE STATED HIS SUPPORT OF THE APPOINTMENT OF DONALD STYPULA TO THE PUBLIC SERVICES BOARD.

COUNCILMEMBER BAUER SAID THAT THERE WAS A JOINT MEETING OF THE PUBLIC SAFETY COMMITTEE AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE TO DEAL WITH THE TRUANCY PROGRAM. SHE NOTED THAT THE RESOLUTION PASSED TONIGHT MERELY ESTABLISHED THE CAPITOL HISTORIC DISTRICT STUDY COMMITTEE AND PROTECTED SOME PROPERTIES FROM DEMOLITION. SHE STATED THAT SHE WAS PRESENT TO WELCOME THE STUDENTS BACK TO SCHOOL AT MAPLE GROVE ELEMENTARY SCHOOL TODAY. SHE COMMENDED THE SCHOOL ON ITS SPOTLESS APPEARANCE, THE PRINCIPAL DIANA ROUSE AND THE TEACHERS.

COUNCILMEMBER JONES SAID, THAT IN HIS OPINION, THE RESPONSIBILITY FOR CLEANING UP THE GRAND RIVER SHOULD BE THE RESPONSIBILITY OF THE WATERSHED GROUP WHO CONTRIBUTE TO ITS POLLUTION. HE NOTED THAT LPD OFFICER ED THOMAS HAS RESIGNED TO TAKE A TEACHING POSITION AT LCC.

COUNCILMEMBER BEAL STATED HER AGREEMENT WITH THE COMMENTS MADE BY COUNCILMEMBER BAUER. THE ACTIONS OF COUNCIL TONIGHT WITH REGARD TO THE HISTORIC DISTRICT COMMISSION CAME OUT OF A CRISIS SITUATION. COUNCIL ACTED TO PRESERVE, RATHER THAN DEMOLISH, HISTORICAL STRUCTURES. SHE FEELS THAT A LOT OF GOOD CAME OUT OF THEIR ACTIONS.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER SAID THAT HE WAS ON HAND AT GRAND RIVER SCHOOL TODAY TO WELCOME THE STUDENTS BACK TO SCHOOL. HE STATED HIS PRIDE IN THE COMMUNITY, AND THEIR ATTEMPTS TO PRESERVE HISTORIC STRUCTURES IN THEIR NEIGHBORHOOD.

**ADJOURNED 11:00 P.M.**  
**MARILYNN SLADE, CITY CLERK**





LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF SEPTEMBER 8, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

ABSENT: COUNCILMEMBER LILLY

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF AUGUST 25, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER NOVAK

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER NOVAK; A RESOLUTION ESTABLISHING AN HISTORIC DISTRICT COMMITTEE FOR THE CAPITOL HISTORIC DISTRICT

2. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION APPROVING A TEMPORARY OUTDOOR SERVICE PERMIT FOR THE BLUE COYOTE LIQUOR LICENSE FOR OUTDOOR SERVICE AT THEIR OKTOBERFEST

3. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION OF TRIBUTE TO LUGNUTS GENERAL MANAGER, JIM WIEGLAND

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PORTION OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER BENAVIDES ANNOUNCED THAT SEPTEMBER 15, 1997 WILL BEGIN THE CELEBRATION OF HISPANIC HERITAGE MONTH. THIS IS A NATION-WIDE EVENT. LOCALLY, IT WILL BE HIGHLIGHTED BY THE FIESTA MEXICANO THIS

SUNDAY AT THE CRISTO REY COMMUNITY CENTER. FROM 11:00 A.M. TO 7:00 P.M. PLEASE ATTEND AND HELP CELEBRATE WITH DANCING, MUSIC, AND FOOD. INFORMATIONAL FLIERS ARE AVAILABLE BY CALLING 372-4700.

COUNCILMEMBER JONES ANNOUNCED THAT THE LUGNUTS ARE AT 5 IN THE PLAY-OFF SERIES. THEIR NEXT GAME IS IN FENVILLE, ILLINOIS. THERE WILL BE A TOUR BUS LEAVING OLDSMOBILE PARK TOMORROW AT 1:30 P.M. TO GO TO THE GAME. THE COST IS \$34.00 PER PERSON.

COUNCILMEMBER BAUER ANNOUNCED THE MOORES RIVER DR. HOME TOUR ON SEPTEMBER 14, 1997 FROM 1:00 TO 5:00 P.M. INCLUDED IN THIS TOUR IS THE GOVERNOR'S MANSION. THE PROCEEDS FROM THE TOUR WILL GO TO THE GREATER LANSING HOUSING COALITION FOR THE REHABILITATION OF OLDER HOMES IN THE AREA. TICKETS FOR THE TOUR ARE \$14.00 PER PERSON. SHE URGED EVERYONE TO PARTICIPATE.

MAYOR HOLLISTER ANNOUNCED THAT SEPTEMBER 10, 1997 AT RIVERFRONT PARK THERE WILL BE A FUND RAISER FOR THE "LIGHT THE CITY" EVENT. THE FUND RAISER IS CALLED "PIG OUT AT THE PLAZA". ALL PROCEEDS WILL BE DONATED TO "LIGHT THE CITY". THE FIRST SEATING WILL BEGIN AT 10:30 A.M. AND THE SECOND SEATING WILL BEGIN AT 1:00 P.M.

► SPECIAL CEREMONIES

A. COUNCILMEMBER BENAVIDES PRESENTED A RESOLUTION OF TRIBUTE TO JIM WEIGEL, GENERAL MANAGER OF THE LANSING LUGNUTS.

B. PRESENTATION BY DARIOS CLUB DE BOXEO OF CRISTO REY IN APPRECIATION OF FUNDING RECEIVED FROM THE CITY

THIS SPECIAL CEREMONY WAS CANCELED AT THE REQUEST OF COUNCILMEMBER BENAVIDES, BECAUSE THE PARTICIPANTS WERE NOT ABLE TO ATTEND

C. PRESENTATION BY A DELEGATION FROM THE GOODWILL MISSION REGARDING THEIR VISIT TO LANSING'S SISTER CITY, OTSU, JAPAN

CANCELED AT THE REQUEST OF THE MAYOR

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

THERE WERE NO SCHEDULED PUBLIC HEARINGS



## ► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

LLOYD TEETS OF 116 E. ELM ST. STATED HIS SUPPORT OF THE RESOLUTION ESTABLISHING THE PERSONNEL COMMITTEE AS A STANDING COMMITTEE OF CITY COUNCIL.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH STATED HER SUPPORT OF THE TRANSFER OF FUNDS FOR THE HUMAN RELATIONS DEPARTMENT. THEY DESERVE ALL OF THE FUNDING THEY CAN GET.

### LEGISLATIVE MATTERS RESOLUTIONS

#### RESOLUTION #488

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 97 TRANSFERS BE APPROVED,

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$37,231.46	PARKS MILLAGE-WAGES TEA HOURLY 101-783870-707000-0	
\$ 402.78	PARKS MILLAGE-OVERTIME SALARY 101-783870-708000-0	
\$2,477.53	PARKS MILLAGE-FRINGS BENEFITS 101-783870-715000-0	
\$12,272.44	PARKS MILLAGE-MISC. & OPER. 101-783870-741000-0	
\$49,900.60	PARKS MILLAGE-SPEC PROG 101-783870-741850-0	
\$102,284.81		OPER TRANSFER-412 FUND 101-966000-991412-0
\$289,619.40	EST REV-PARK MILLAGE 412-0-170001-0	PARK MILLAGE-CONTINGENCY 412-933890-992000-46020
\$279,278.55	PARK MILLAGE-CONTINGENCY 412-933890-992000-46020	
\$ 84,214.45	FOSTER CENTER REPAIRS 412-933890-975000-46082	
\$122,600.00		WASHINGTON ICE RINK 412-933890-940000-46075
\$240,893.00		GIER CENTER REPAIRS 412-933890-975000-46082

(RESIDUAL FUNDS FROM CLOSE OUT OF PARK MILLAGE ACCOUNTS (REVENUE DETAIL ACCOUNT 412-0-696101-0, \$102,284.81). ALSO APPROPRIATION OF FY 97 INTEREST INCOME (REVENUE DETAIL ACCOUNT 412-0-670000-0, \$187,335.19). WITH USE OF RESIDUALS FROM LOW FOSTER CENTER BID, ADJUST FUNDING FOR GIER AND KINGSLEY REPAIRS TO PERMIT LETTING OF CONTRACT. ALSO ADJUST FUNDING FOR WASHINGTON WARMING HOUSE IN

## COMPLIANCE WITH SITE PLAN APPROVALS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$24,925.21	GEN. ADMIN.-YOUTH COORD. RESERVE 101-173901-702000-0	GEN ADMIN.-CONTROL 101-173901-992200-0
\$24,925.21	GENERAL ADMIN.-CONTROL 101-173901-992200-0	HUMAN REL/ COMM. SVCS-CTRL 101-672500-992200-0
\$24,925.21	HUMAN REL/COMM. SVCS-CTRL 101-672500-992200-0	
\$22,925.47		SALARIES AND LONGEVITY 101-672500-702000-0
\$ 1,989.74		OVERTIME-SALARY 101-672500-708000-0

(RESERVE INCLUDED IN BUDGET FOR TEAMSTER WAGE SETTLEMENT LESS THAN ACTUAL COSTS AND UNANTICIPATED COSTS FOR SALARY ADJUSTMENTS AND RECLASSIFICATIONS. OVERTIME RESULTS FROM HIGHER EMPLOYEE USE OF AID OVERTIME RATHER THAN COMPENSATORY TIME.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$6,907	MAYOR'S EXT. STAFF-BUDGET SAL. & LONGEVITY 101-173161-702000-0	BUDGET & LABOR RELATIONS-CONTROL 101-173160-992200-0
\$6,907	BUDGET & LABOR RELATIONS-CONTROL 101-173160-992200-0	COMPUTER & COMMUNICATIONS-CONTROL 101-173130-992200-0
\$6,907	COMPUTER AND COMMUNICATIONS-CONTROL 101-173130-992200-0	COMP. & COMM. SALARIES & LONGEVITY 101-173130-702000-0
\$2,100	COMP. & COMM. - PROFESSIONAL SERVICES 101-173130-743000-0	PROF SERV. -TEMP HELP 101-173140-743050-0

(WAGE RESERVE FOR LABOR CONTRACT SETTLEMENT LOWER THAN ACTUAL COSTS, AND ADDITIONAL COSTS INCURRED FOR TEMPORARY HELP DURING EXTENDED SICK LEAVE ABSENCE OF ONE EMPLOYEE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$4,331	FORFEITURE FUND-ESTIMATED REVENUES 265-0-170001-0	
\$273		FRINGE BENEFITS 265-343253-715000-0
\$4,058		CONTRACT SVC-TEMP. HELP 265-342253-743050-0

(ACTUAL CHARGES FOR FY 97 FRINGE BENEFITS. ALSO CHARGES FOR TEMPORARY ASSISTANCE TO PROVIDE COMPUTER PROGRAMMING ASSISTANCE IN A PRIORITY CASE. REVENUE DETAIL ACCOUNT 265-0-660401-0. REVENUES EXCEEDING BUDGET ESTIMATES BY APPROXIMATELY \$30,000.)



AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,810	MAYOR'S EXT. STAFF- BUDGET SAL. & LONG. 101-173161-702000-0	BUDGET & LABOR REL- CTRL 101-173160-992200-0
\$5,810	BUDGET & LABOR REL- CTRL 101-173160- 992200-0	MAYOR'S-CONTROL 101- 172300-992200-0
\$5,810	MAYOR'S-CONTROL 101- 172300-992200-0	MAYOR'S-SALARIES 101- 172300-702000-0

(WAGE RESERVES FOR LABOR CONTRACT SETTLEMENT LOWER THAN ACTUAL COSTS, AND ADDITIONAL COSTS FOR RECLASSIFICATION.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$2,141	EST REV-INFRA 410-0-170001	EQUIPMENT 410-933890- 977000-43839

(REVENUE DETAIL ACCOUNT 410-0-649201-43839 FROM BUILDING USE FEES, DEDICATED TO FURNISHINGS AND EQUIPMENT UNDER RESOLUTION 219 OF 5/5/97.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$11,225	EST REV-INFRA 410-0- 170001-0	BALLFIELD DEV 410-933890-970000- 13023

(PROCEEDS FROM SURCHARGE ON SOFTBALL REGISTRATION DEDICATED TO BALLFIELD IMPROVEMENTS PER CITY COUNCIL RESOLUTION #247 OF 5/16/94. REVENUE DETAIL ACCOUNT 410-0-648253-13023.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #489

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 98 TRANSFERS BE APPROVED,

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$2,500	PUB SVC-ADMIN. MISC. & OPER. 101-453603- 741000-0	OPER TRANS-273 FUND 101- 966000-992273-0

(LOCAL MATCH FOR CLEAN CITIES GRANT.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$26,500	EST REV-STATE & FED PROG 273-0-170001-0	
\$1,000		CLEAN CITIES-POSTAGE 273- 453600-741100-17907
\$1,000		CLEAN CITIES-MISC. & OPER. 273-453600-741000-17907

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,000		CLEAN CITIES-PRINTING 273- 453600-741400-17907
\$1,000		CLEAN CITIES-TRAVEL 273- 453600-741845-17907
\$6,500		CLEAN CITIES-SUPPLIES 273- 453600-742000-17907
\$15,000		CLEAN CITIES- SUBCONTRACT SVC 273-453600-961743- 17907

(APPROPRIATION OF CLEAN CITIES GRANT. APPROPRIATION AUTHORITY OMITTED IN AUTHORIZING RESOLUTION #147. REVENUE DETAIL ACCOUNTS: 273-0-527000-17907 FEDERAL \$24,000; 273-0-696101-17907 LOCAL \$2,500.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,000	FUND BALANCE-FORFEITURE FUND 265-0-390001-0	CONTRACT SVCS-TEMP. HELP 265-343253-743050-0

(CONTINUATION OF TEMPORARY HELP TO PROVIDE COMPUTER PROGRAMMING ASSISTANCE ON A PRIORITY CASE. FY 97 REVENUES HIGHER THAN ANTICIPATED RESULTING IN AVAILABLE FUND BALANCE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$28,100	GEN ADMIN-TRUANCY PROG 101-173901-741091-0	GEN ADMIN-CTRL 101- 173901-992200-0
\$28,100	GEN. ADMIN-CTRL 101- 173901-992200-0	POLICE DEPT. CTRL 101- 343201-992200-0
\$28,100	POLICE DEPT.-CTRL 101- 343201-992200-0	POLICE OVERTIME-SWORN 101-343201-708100-0

(DEMONSTRATION TRUANCY ABATEMENT PROGRAM TO INCLUDE OVERTIME FOR 8 OFFICERS AND 1 SGT. FOR EIGHT RANDOM SWEEPS TO APPREHEND TRUANTS. PROGRAM PROVIDES FOR LIMITED COUNSELING OF TRUANTS, ALTERNATIVE COMMUNITY SERVICE WITHIN SCHOOLS, AND PARENT PARTICIPATION, IN LIEU OF CITATION AND FINE.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #490

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CEMETERY OPERATES AS AN ENTERPRISE FUND: AND

WHEREAS, THE CEMETERY FEES FOR THE NEWLY RESTRUCTURED LOTS OF SECTION J OF EVERGREEN CEMETERY WERE REVISED AUGUST 12, 1996: AND  
WHEREAS, IT IS PROPOSED TO CHANGE THE FEE FOR A SINGLE GRAVE SITE TO \$500.00 FROM \$385.00 FOR ALL



AREAS OF EVERGREEN CEMETERY OTHER THAN SECTION L SO IT WILL BE THE SAME AS THE NEW LOTS IN SECTION J; AND

WHEREAS, SECTION L SINGLE GRAVE SITES WILL REMAIN AT \$385.00 DUE TO THEIR CLOSE PROXIMITY TO THE HIGHWAY AND THE PUBLIC'S PERCEPTION THESE LOTS ARE LESS DESIRABLE; AND

WHEREAS, THE PARK BOARD REVIEWED AND RECOMMENDED THE FEE WHEN PRESENTED DURING BUDGET PREPARATION.

NOW, THEREFORE, BE IT RESOLVED THE COUNCIL APPROVES THE PROPOSED CEMETERY FEE OF \$500.00 FOR SINGLE GRAVE SITES IN EVERGREEN CEMETERY IN ALL AREAS, OTHER THAN SECTION-L FOR IMMEDIATE IMPLEMENTATION.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #491**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

BE IT RESOLVED THAT RULE 17. STANDING COMMITTEES OF THE RULES OF COUNCIL BE AMENDED AS FOLLOWS:

RULE 17. STANDING COMMITTEES. AT THE COMMENCEMENT OF EACH YEAR, THE PRESIDENT SHALL APPOINT COUNCILMEMBERS TO THE FOLLOWING STANDING COMMITTEES:

1. COMMITTEE ON WAYS AND MEANS;
2. COMMITTEE ON DEVELOPMENT AND PLANNING;
3. COMMITTEE ON PUBLIC SAFETY;
4. COMMITTEE ON PUBLIC SERVICES;
5. COMMITTEE ON GENERAL SERVICES;
6. COMMITTEE ON INTERGOVERNMENTAL AFFAIRS; AND
7. COMMITTEE ON COUNCIL PERSONNEL.

THIS COMMITTEE SHALL BE COMPRISED OF FOUR MEMBERS AND SHALL INCLUDE THE PRESIDENT, THE VICE PRESIDENT, ONE AT-LARGE COUNCILPERSON, AND ONE WARD COUNCILPERSON. THE VICE PRESIDENT SHALL SERVE AS CHAIR OF THE COMMITTEE. ~~NO COUNCILPERSON SHALL SERVE CONSECUTIVE TERMS AS AN AT-LARGE OR WARD COMMITTEE MEMBER.~~

THE COMMITTEE ON COUNCIL PERSONNEL SHALL CONSIDER, STUDY AND RECOMMEND WITH RESPECT TO THE FOLLOWING COUNCIL STAFF MATTERS: RECRUITMENT; SELECTION; DISCIPLINE; PERFORMANCE EVALUATIONS; JOB DESCRIPTIONS; POLICY AND PROCEDURE MANUAL DEVELOPMENT; ANY OTHER PERSONNEL MATTER REFERRED TO IT BY THE COUNCIL.

EXCEPT AS MAY OTHERWISE BE PROVIDED HEREIN, THE PRESIDENT SHALL APPOINT A CHAIRPERSON AND VICE CHAIRPERSON OF EACH STANDING COMMITTEE. IN THE

TEMPORARY ABSENCE OF THE CHAIRPERSON, THE VICE CHAIRPERSON SHALL ACT AS CHAIRPERSON. THE STANDING COMMITTEES' FUNCTIONS SHALL BE REVIEWED BY THE COUNCIL PRESIDENT AND SHALL BE ADOPTED BY RESOLUTION OF COUNCIL DURING JANUARY OF EACH YEAR. (RES.7. PASSED 1-9-95.)

BE IT FINALLY RESOLVED THAT APPOINTMENT TO THE COMMITTEE ON COUNCIL PERSONNEL SHALL BE MADE WITHIN FOURTEEN (14) DAYS OF THE EFFECTIVE DATE OF THIS RULE AMENDMENT.

BY COUNCILMEMBER LEEMAN

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER BEAL TO AMEND THE RESOLUTION BY REMOVING THE RESTRAINT OF THE ONE YEAR TIME LIMIT FOR SERVICE ON THE PERSONNEL COMMITTEE, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION INTRODUCING AN AMENDMENT TO COUNCIL RULES AS AMENDED.

CARRIED UNANIMOUSLY

**RESOLUTION #492**

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, IN AUGUST OF 1995, THE LANSING LUGNUTS HIRED JIM WEIGEL TO BE THE TEAM'S GENERAL MANAGER, AND

WHEREAS, JIM CAME TO THE LUGNUTS WITH A STRONG BACKGROUND IN BASEBALL HAVING SERVED AS THE DIRECTOR OF MARKETING AND PLAYER DEVELOPMENT FOR THE SAN DIEGO PADRES FROM 1977-1981 AND GENERAL MANAGER OF THE OKLAHOMA CITY 89ERS FROM 1981-1994, AND

WHEREAS, DURING HIS STINT WITH THE SAN DIEGO PADRES, JIM WAS RESPONSIBLE FOR OVERSEEING THE DEVELOPMENT OF MAJOR LEAGUE STARS OZZIE SMITH, TONY GWYNN, AND JOHN KRUK AND BROUGHT INTO BASEBALL THE PROTOTYPICAL MASCOT KNOWN AS THE SAN DIEGO CHICKEN, AND

WHEREAS, WHILE HERE IN LANSING JIM BECAME THE FIRST GENERAL MANAGER IN THE HISTORY OF MINOR LEAGUE BASEBALL TO OVERSEE AN ORGANIZATION THAT PLAYED HOST TO OVER 1 MILLION FANS IN ITS FIRST TWO SEASONS OF OPERATION, AND

WHEREAS, JIM LEAVES AN ORGANIZATION THAT HAS BECOME KNOWN FOR ITS FRIENDLINESS AND WILLINGNESS TO GO OUT OF ITS WAY SO THAT THE FANS ALWAYS HAVE AN ENJOYABLE EXPERIENCE WHILE AT OLDSMOBILE PARK.

NOW THEREFORE BE IT RESOLVED, THAT THE LANSING CITY COUNCIL, ON BEHALF OF THE CITIZENS OF LANSING, EXPRESSES ITS HEARTFELT THANKS AND APPRECIATION TO JIM WEIGEL FOR HIS DEDICATION, EXPERIENCE, AND LEADERSHIP IN MAKING OLDSMOBILE PARK AND THE LANSING LUGNUTS THE SINGLE LARGEST ATTRACTION IN LANSING WITH OVER HALF A MILLION VISITORS EACH YEAR, AND



BE IT FURTHER RESOLVED, THAT THE LANSING CITY COUNCIL WISHES JIM AND HIS WIFE JILL, THEIR TWO SONS ZACH AND BRET AND DAUGHTER AMANDA ALL THE BEST IN THE FUTURE AND WE THANK HIS FAMILY FOR "LOANING" JIM TO US THESE PAST TWO YEARS, AND

BE IT FINALLY RESOLVED, THAT THE LANSING CITY COUNCIL HEREBY DECLARES SEPTEMBER 8, 1997, AS JIM WEIGEL DAY IN THE CITY OF LANSING AND WE URGE ALL CITIZENS OF MID-MICHIGAN, IN HONOR OF JIM, TO STOP AND TAKE A MOMENT OF THEIR TIME AND - JUST GO NUTS!

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #493**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE BLUE COYOTE BREWING COMPANY, HOLDER OF A CLASS C LIQUOR LICENSE, HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION FOR AUTHORIZATION TO PROVIDE TEMPORARY OUTDOOR SERVICE DURING SEPTEMBER 19 (5:00 P.M. TO MIDNIGHT) AND 20 (NOON TO MIDNIGHT), 1997, IN A PRIVATE ENCLOSURE ON PERE MARQUETTE DRIVE; AND

WHEREAS, THE MICHIGAN LIQUOR CONTROL COMMISSION RULES REQUIRE THAT THE LOCAL LEGISLATIVE BODY APPROVE SUCH APPLICATIONS PRIOR TO ISSUANCE OF THE PERMIT; AND

WHEREAS, THE CLERK HAS REPORTED THAT ALL NECESSARY ADMINISTRATIVE APPROVALS HAVE BEEN GIVEN; AND

NOW, THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE REQUEST FROM THE BLUE COYOTE BREWING COMPANY FOR AUTHORIZATION TO PROVIDE TEMPORARY OUTDOOR SERVICE DURING SEPTEMBER 19 AND 20, 1997, IN A PRIVATE ENCLOSURE ON PERE MARQUETTE DRIVE AS PART OF AN OKTOBERFEST CELEBRATION; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS DIRECTED TO COMPLETE THE PROPER FORM AND SUBMIT IT WITH THIS RESOLUTION TO THE MICHIGAN LIQUOR CONTROL COMMISSION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY RELATED MATTERS

WILLIE WILLIAMS OF 505 W. LENAWEE ASKED ABOUT THE \$31,900 TRANSFER OF FUNDS FOR THE CSO PROJECT THAT WAS DEFEATED ON AUGUST 11, 1997. HAS THAT BILL BEEN PAID? WILL IT BE PAID? HE ANNOUNCED THAT ANYONE INTERESTED IN WORKING ON THE EFFORT TO RECALL PAULINE JOHNSON-WEST FROM THE SCHOOL BOARD MAY CALL 374-4508 FOR FURTHER INFORMATION. HE ASKED

COUNCILMEMBER NOVAK TO EXPLAIN WHAT WOULD HAPPEN IF THERE WERE A WRITE-IN CAMPAIGN TO ELECT COUNCILMEMBER NOVAK TO AN AT-LARGE COUNCIL POSITION, AND HE RECEIVED A ZILLION VOTES AND WON. HE ANNOUNCED THAT THIS IS GRAND PARENTS DAY, AND SAID HELLO TO HIS GRAND-DAUGHTER, ALEXIS, WHO TURNED TWO TODAY.

LLOYD TEETS OF 116 E. ELM ST. ANNOUNCED THAT THEY WERE NOTIFIED TODAY THAT THE CITIZENS REVIEW BOARD ISSUE WAS APPROVED BY THE ATTORNEY GENERAL'S OFFICE FOR PLACEMENT ON THE NOVEMBER GENERAL ELECTION BALLOT. HE ANNOUNCED THAT ON SEPTEMBER 11, 1997, THEY WILL BE IN COURT TO REACH A DECISION AS TO WHETHER THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE WILL BE PLACED ON THE NOVEMBER BALLOT, AS WELL. THIS QUESTION IS BEFORE JUDGE CAROLYN STELL.

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING READ TWO LETTERS; A LETTER FROM ATTORNEY GENERAL FRANK KELLY RECOMMENDING APPROVAL OF THE PLACEMENT OF THE CITIZENS REVIEW BOARD ISSUE ON THE NOVEMBER GENERAL ELECTION BALLOT AND A LETTER FROM GOVERNOR ENGLER REGARDING THE APPROVAL BY THE A.G. THE CITIZENS OF LANSING HAVE WON AN OPPORTUNITY TO VOTE ON THIS ISSUE FOR THEMSELVES. HE URGED EVERYONE WHO SIGNED THEIR PETITIONS TO VOTE, AND TO VOTE AFFIRMATIVELY ON ESTABLISHING THE CITIZENS REVIEW BOARD. HE URGED THEM TO CALL THEIR FRIENDS AND EXPLAIN TO THEM WHAT THE AMENDMENT IS ALL ABOUT.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SAID THAT IT IS A GREAT HONOR AND PRIVILEGE FOR THE CITIZENS OF LANSING TO HAVE THE OPPORTUNITY TO VOTE ON SUCH AN IMPORTANT ISSUE. FOR OVER A YEAR THE MARCH FOR JUSTICE HAS BEEN BRINGING BEFORE THE CITIZENS OF LANSING PROBLEMS CAUSED BY HARASSMENT AND RACISM PERPETRATED BY MEMBERS OF THE POLICE DEPARTMENT. THEY HAVE HELD TWO MARCHES, AND PUT IN MANY HOURS TO KEEP THESE ISSUES BEFORE THE RESIDENTS OF THE CITY... THE ADMINISTRATION HAS HELD THEM UP EVERY TIME, NOW THROUGH THE EFFORTS OF THE MARCH FOR JUSTICE AND THE PETITION PROCESS, THEY HAVE GOTTEN THIS ISSUE ON THE NOVEMBER GENERAL ELECTION BALLOT. THIS IS A "HOME RUN" FOR JUSTICE IN THE CITY OF LANSING. PLEASE VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT QUESTION.

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SAID THAT SHE HOPES THAT THE CITIZENS OF LANSING REALIZE WHAT HAPPENED AT THE SEPTEMBER 2, 1997 CITY COUNCIL MEETING WITH REGARD TO THE CAPITOL HISTORIC DISTRICT. THIS IS A VIOLATION OF PEOPLE'S RIGHTS.

FRANK CURTIS "X", NO ADDRESS GIVEN, STATED HIS DISAGREEMENT WITH THE PROPOSED TRUANCY PROGRAM. A LOT OF PEOPLE ARE NOT ABLE TO TEACH THEIR KIDS, BUT HE IS. HE IS A MUSLIM, AND HIS KIDS HAD BETTER NOT BE ARRESTED IF HE ALLOWS THEM TO LEAVE THEIR HOME AND GO TO THE STORE, OR SOMETHING OF THAT NATURE, DURING THE "CLEAN SWEEP".

ALBERTA JORDAN, NO ADDRESS GIVEN, THANKED THE



COMMUNITY FOR ALL THE SIGNATURES THAT WERE COLLECTED ON THE CITIZENS REVIEW BOARD PETITIONS. SHE URGED ALL YOUNG PEOPLE TO GET OUT AND VOTE IN NOVEMBER AND TO VOTE FOR THE CITIZENS REVIEW BOARD AMENDMENT.

### CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING A LETTER FROM ATTORNEY GENERAL FRANK KELLY TO GOVERNOR ENGLER RECOMMENDING APPROVAL OF BALLOT LANGUAGE FOR A CHARTER AMENDMENT TO ARTICLE 5, CHAPTER 7, ESTABLISHING A CITIZENS REVIEW BOARD

RECEIVED AND PLACED ON FILE

2. LETTER FROM THE BOARD OF WATER & LIGHT REQUESTING THAT PROPERTY LOCATED AT THE STANLEY STREET METERING STATION BE DECLARED AS SURPLUS

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. LETTERS FROM THE MAYOR RE:

A. RESIGNATION OF DERRICK QUINNEY FROM THE ELECTED OFFICERS COMPENSATION COMMISSION

REFERRED TO THE COMMITTEE OF THE WHOLE

B. TRANSFER OF FUNDS; LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. OFFER TO PURCHASE 8.73 ACRES IN THE 3200 BLOCK OF W. MILLER RD. FROM STOCKWELL REAL ESTATE

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM LLOYD TEETS OF 116 E. ELM ST. SUBMITTING A FOIA REQUEST FOR INFORMATION REGARDING REQUIREMENTS FOR LIABILITY INSURANCE COVERAGE FOR EVENTS SCHEDULED AT THE LANSING CITY MARKET

REFERRED TO THE CITY ATTORNEY

2. LETTER FROM CATHERINE RIG OF 1212 GOODRICH ST. IN OPPOSITION TO Z-04-97, CORNER OF S. M.L. KING JR. BLVD. AND MT. HOPE AVE., AND REQUESTING INFORMATION REGARDING THE STATUS OF THIS REZONING PETITION

REFERRED TO THE CITY ATTORNEY

3. LETTERS FROM CHRISTINE TIMMONS RE:

-CAMP DRESSER & MCKEE AND THE CSO PROJECT  
-THE CSO WORKSHOP  
-THE CAPITOL HISTORIC DISTRICT  
-THE BOYCOTT OF THE CAFE RIVERFEST

RECEIVED AND PLACED ON FILE

4. LETTER FROM THE STATE OF MICHIGAN, DEPARTMENT OF NATURAL RESOURCES REGARDING AN EXTENSION TO THE COMMUNITY FORESTRY GRANT

RECEIVED AND PLACED ON FILE

5. LETTER FROM ANTONIA MIERNICK OF 629 W. LAPEER, PRESIDENT OF THE GENESEE NEIGHBORHOOD ASSOCIATION, REQUESTING APPOINTMENT TO THE CAPITOL HISTORIC DISTRICT STUDY COMMITTEE

REFERRED TO THE MAYOR AND THE COMMITTEE ON DEVELOPMENT AND PLANNING

6. STORMWATER APPEALS FROM: JAMES L. CAMPANA 6239 S. WASHINGTON AVE., RANDOLF MARKHAM FOR 3000 DUNCKEL RD.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

7. NOTICE FROM THE STATE OF MICHIGAN, DEPARTMENT OF CONSUMER & INDUSTRY SERVICES OF THE CLOSING OF A CHILD WELFARE LICENSING FOSTER FAMILY GROUP HOME LICENSED TO MARJORIE MARIE STINE AT 805 MOORES RIVER DR.

RECEIVED AND PLACED ON FILE

### MOTION OF EXCUSED ABSENCE

BY COUNCILMEMBER NOVAK

TO EXCUSE COUNCILMEMBER LILLY FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER ALLEN INVITED EVERYONE IN THE SECOND WARD TO JOIN HER FOR COFFEE ON SATURDAY MORNING AT 9:00 A.M. AT THE KORNER KITCHEN RESTAURANT AT THE CORNER OF PENNSYLVANIA AND MT. HOPE.

COUNCILMEMBER LEEMAN ANNOUNCED THE DEATH OF DR. PAULY, A FORMER COUNCIL REGULAR, WHO OPERATED THE FIRST DRUG STORE OWNED BY AN AFRICAN AMERICAN IN THE U.S.

COUNCILMEMBER BAUER WISHED A HAPPY 50TH WEDDING ANNIVERSARY TO LLOYD & GERIE ULREY. SHE URGED EVERYONE TO VISIT COOLEY GARDENS BEFORE THE FIRST FROST. SHE THANKED THE PARKS AND RECREATION DEPARTMENT STAFF WHO TAKE CARE OF THE GARDENS. SHE ANNOUNCED THAT SHE WILL BE A "WAITER" AT THE "PIG OUT AT THE PLAZA" FUND RAISING EVENT FOR "LIGHT THE CITY". THE COST PER PLATE FOR THIS LUNCH IS \$15.00, AND



THERE ARE SEATS AVAILABLE IN HER SECTION. SHE REMINDED HER COLLEAGUES THAT THEY ARE INVITED TO PARTICIPATE IN THE MOORES RIVER DRIVE HOME TOUR THIS SUNDAY, AND HAVE BEEN PROVIDED COMPLIMENTARY TICKETS.

COUNCILMEMBER JONES SENT HIS BEST WISHES TO LINDA NOVAK, WIFE OF COUNCILMEMBER PAUL NOVAK, WHO IS SHORTLY TO GIVE BIRTH TO THEIR THIRD CHILD. COUNCILMEMBER BEAL ANNOUNCED THE CANCELANCATION OF THE REGULARLY SCHEDULED COMMITTEE OF THE WHOLE MEETING FOR THIS THURSDAY.

**MAYOR'S EXECUTIVE ASSISTANT'S  
RESPONSE TO COMMENTS**

LIZA ESTLUND OLSON, MAYOR HOLLISTER'S CHIEF OF STAFF, ANNOUNCED THAT THE GATES THAT CLOSE OFF THE PENNSYLVANIA AVE. PEDESTRIAN CROSS WALK AT POTTERS PARK HAVE BEEN ERECTED AND ARE BEING OPENED EACH MORNING AND CLOSED EACH EVENING BY PARK PERSONNEL. THE MAYOR'S OFFICE HAS ALREADY BEGUN RECEIVING CALLS EXPRESSING THE GRATITUDE OF THE RESIDENTS IN THIS NEIGHBORHOOD.

MR. WIENER CONGRATULATED THE LANSING LUGNUTS BASEBALL TEAM, AND WISHED THEM LUCK WITH THEIR LAST HOME GAME, WHICH IS BEING PLAYED TONIGHT. THIS TEAM HAS BROUGHT GREAT JOY TO THE CITY AND IT'S FAMILIES. THEY HAVE CONTRIBUTED SO MUCH TO OUR COMMUNITY. HE WISHED A HAPPY BIRTHDAY TO LIZA ESTLUND OLSON, WHO IS ONE OF THE HARDEST WORKING PEOPLE IN CITY HALL. SHE SERVES IN HER CAPACITY WITH GREAT INTELLIGENCE AND DEVOTION.

**ADJOURNED 8:10 P.M.**

**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF SEPTEMBER 15, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

ABSENT: COUNCILMEMBERS BAUER, LILLY

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER BENAVIDES

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER BENAVIDES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS FOR THE OLD TOWN FESTIVAL TO BE HELD OCTOBER 10, 11, AND 12, 1997

2. FROM COUNCILMEMBER BENAVIDES; A REQUEST THAT THE RULES BE SUSPENDED TO ALLOW FOR THE ADDITION OF A SPECIAL CEREMONY FOR A PRESENTATION BY THE CRISTO REY BOXING CLUB

3. FROM COUNCILMEMBER BENAVIDES; AN ORDINANCE FOR INTRODUCTION, READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, LAST ADOPTED AND RECODIFIED ON OCTOBER 6, 1987, AND SETTING A PUBLIC HEARING FOR SEPTEMBER 29, 1997

4. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION RECOGNIZING NON-PROFIT STATUS FOR THE GREATER LANSING HOUSING CORPORATION

5. FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR A TEMPORARY LIQUOR LICENSE FROM THE ITALIAN AMERICAN CLUB FOR OCTOBER 18, 1997

6. FROM COUNCILMEMBER NOVAK; A SUBSTITUTE RESOLUTION FOR THE RESOLUTION DEALING WITH THE DISPOSITION OF PROCEEDS FROM THE SALE OF PROPERTY BY THE BOARD OF WATER & LIGHT

7. FROM COUNCILMEMBER JONES; A REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS IN THE AMOUNT OF \$250 FOR A PRESENTATION AT LOCAL HIGH SCHOOLS REGARDING HISPANIC HERITAGE MONTH

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER NOVAK ANNOUNCED THE HOLY CROSS OKTOBER FEST THIS WEEKEND AT THE CORNER OF JENISON AND OAKLAND. PLEASE JOIN THEM FOR FOOD, GAMES, RAFFLES AND BEVERAGES. HE WILL BE TENDING BAR.

COUNCILMEMBER ALLEN ANNOUNCED THAT THE RIVER WALK THEATRE WILL FEATURE "BEAU GEST" THIS WEEKEND.

MAYOR HOLLISTER ANNOUNCED THAT, BEGINNING OCTOBER 1, 1997, MAJOR CONSTRUCTION PROJECTS WILL BE UNDERTAKEN; THE GIER PARK CONCESSIONS BUILDING AND THE WASHINGTON PARK WARMING HOUSE, ADDITIONALLY, AT THE SEPTEMBER 22, 1997 MEETING OF THE INGHAM COUNTY PARKS BOARD, WHICH WILL BE HELD AT 6:00 P.M. IN THE HILLIARD BUILDING IN MASON, THEY WILL TAKE UP DISCUSSION OF THE PLANS FOR THE CAVANAUGH RD. WATER PARK, AND ACCEPT PUBLIC COMMENT ON THE PROJECT. FURTHER INFORMATION CAN BE OBTAINED FROM BOB MOORE AT 676-2233, EXTENSION 12.

► SPECIAL CEREMONIES

A. BOB CARR, PRESIDENT OF THE GREATER LANSING HORSE SHOE ASSOCIATION SAID THAT THEIR TOURNAMENT WAS HELD IN CONJUNCTION WITH THE CAPITOL CITY RIVERFEST. HE THANKED COUNCIL FOR THEIR HELP AND FOR ALLOWING THEM TO USE WESTSIDE PARK. HE THANKED THE POLICE DEPARTMENT AND THE CONVENTION AND VISITORS BUREAU. THEY HOPE TO GET LANSING INTO THEIR TOURNAMENT ROTATION NOW SO THAT THEY CAN HOST THE TOURNAMENT IN LANSING AGAIN IN THE YEAR 2000.

B. MICHAEL ALEXANIAN, PRESIDENT OF THE GOODWILL MISSION, BI-ANNUAL CULTURAL EXCHANGE PROGRAM BETWEEN LANSING AND SISTER CITY, OTSU, JAPAN, INTRODUCED THE OTHER MEMBERS OF THE MISSION, WHO EACH HIGHLIGHTED THEIR FAVORITE FEATURES OF THE TRIP. THEY ALL PAY FOR THEIR OWN EXPENSES AND EACH ENJOYED THE HOME STAYS IN THEIR OWN WAYS. MR. ALEXANIAN ANNOUNCED THAT NEXT YEAR IS THE 30TH ANNIVERSARY OF THE LANSING - SHIGA PREFECTURE SISTER CITY RELATIONSHIP. HE URGED EVERYONE TO PARTICIPATE. THEY WILL HOLD CEREMONIES IN FRONT OF OLDSMOBILE PARK. THEY EXPECT THEIR FINAL REPORT OF THIS YEAR'S TRIP TO



BE IN SHORTLY.

C. PRESENTATION REGARDING THE CITY OF LANSING TRUANCY PROGRAM

PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER ALLEN

D. COUNCILMEMBER BENAVIDES INTRODUCED DARIO MEDRANO, JR. AND THE MEMBERS OF THE CRISTO REY LOS DARIOS CLUB DE BOXEO. THEY THANKED THE CITY FOR HELPING TO FUND THEIR ORGANIZATION AND REQUESTED CONSIDERATION FOR FUTURE FUNDING.

MAYOR HOLLISTER THANKED MR. MEDRANO AND CONGRATULATED HIM, SAYING, THAT IN ORDER TO SUCCEED IN A MISSION LIKE THIS YOU NEED; AN IDEA, A VISION, PARTNERS, A PLAN, AND PERSISTENCE. MR. MEDRANO SUCCESSFULLY IMPLEMENTED THIS PROGRAM BECAUSE HE HAD ALL OF THE RIGHT INGREDIENTS. HIS CLUB WAS FEATURED RECENTLY IN THE AUGUST 28TH LANSING STATE JOURNAL. HE CONGRATULATED THE YOUNG MEMBERS OF LOS DARIOS CLUB DE BOXEO, AS WELL.

ROSALINA BENAVIDES THANKED MAYOR HOLLISTER AND CITY COUNCIL FOR HELPING THIS CLUB TO EXIST IN LANSING. THIS GROUP IS VERY HELPFUL AND PROVIDES GUIDANCE AND UNDERSTANDING FOR THE KIDS. THEY ARE GIVEN ATTENTION AND PEOPLE LISTEN TO THEM AND HEAR WHAT THEY ARE SAYING. THIS IS IMPORTANT TO CHILDREN.

COUNCILMEMBER BENAVIDES DISTRIBUTED CERTIFICATES OF APPRECIATION TO CLUB MEMBERS.

COUNCILMEMBER BEAL THANKED THE VOLUNTEER COACHES AND THE PARENTS WHO PARTICIPATE IN THE CLUB. IT IS WORK LIKE THIS, SHE SAID, THAT IS MAKING A DIFFERENCE IN OUR COMMUNITY.

#### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

##### **► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:**

##### **► PUBLIC COMMENT ON LEGISLATIVE MATTERS:**

WILLIAM HUBBELL OF 3916 WEDGEWOOD STATED HIS DISAPPROVAL OF THE ORDINANCES AMENDING THE CITY LICENSING REQUIREMENTS. HE DISAGREES WITH REQUIRING PEOPLE TO APPLY FOR CITY PERMITS TO HOLD PUBLIC GATHERINGS. THIS SEEMS TO HIM LIKE IT WILL STIFLE PUBLIC EXPRESSION.

COUNCILMEMBER BENAVIDES EXPLAINED THAT THE ORDINANCE AMENDMENTS ON TONIGHT'S AGENDA WILL ACTUALLY MAKE THE LICENSING PROCESS MUCH EASER, BY REMOVING THE REQUIREMENT FOR COUNCIL APPROVAL. HENCEFORTH, LICENSES WILL BE ADMINISTRATIVELY APPROVED AND ISSUED BY THE CITY CLERK'S OFFICE WITHOUT PRIOR COUNCIL APPROVAL.

WILLY WILLIAMS OF 505 W. LENAWEE OBJECTED TO THE APPROVAL OF THE STORMWATER APPEAL OF CONNIE AND MICHAEL DELANEY. THE PEOPLE WHO FIGHTING AGAINST THE

RAIN FEE AND THE OPINION OF JUDGE STELL LOST IN THE PRIMARY. THEY HAVE LOST BY A 70/30 MARGIN. IT IS OVER NOW, AND TIME TO MOVE ON.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT THE RESOLUTION APPROVING THE DELANEY STORMWATER APPEAL CONTAINS FALSE INFORMATION. THE DELANEY'S STORMWATER FEE WAS ORIGINALLY OVER \$3,000, NOT THE \$968.81 CITED IN THE RESOLUTION. MRS. DELANEY REJECTED AN OFFER FROM THE PUBLIC SERVICE DEPARTMENT TO REDUCE HER FEE TO \$968.81, AND FURTHER APPEALED THE FEE TO GENERAL SERVICES, ULTIMATELY GETTING IT REDUCED TO \$208.37. HOWEVER, IT TOOK HER YEARS, AND HUNDREDS OF HOURS OF WORK TO ACHIEVE THIS CONCESSION. THE RESOLUTION OFFERS HER RELIEF FOR THE 95 AND 96 STORMWATER FEES ONLY, AND SHOULD BE AMENDED TO PROVIDE FOR A PERMANENT REDUCTION SO THAT SHE DOES NOT HAVE TO START ALL OVER AGAIN.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. ACCUSED MAYOR HOLLISTER OF CHANGING POLITICAL PHILOSOPHIES WHEN HE BECAME THE MAYOR OF THE CITY OF LANSING RATHER THAN A MEMBER OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MICHIGAN. HE SAID THAT EVERYONE THAT LIVES ON THE SOUTH SIDE OF LANSING SHOULD BE EXEMPT FROM STORM WATER FEES. HE HAS FILED APPEALS AND REQUESTED REFUNDS OF FEES THAT HE HAS PAID, PLUS INTEREST. HE PREDICTED THAT MAYOR HOLLISTER'S VETO OF THE RESOLUTION APPROVING BALLOT LANGUAGE FOR THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE WOULD FOLLOW HIM TO THE POLLS. HE HAS NEVER RECEIVED A RESPONSE FROM THE APPEALS HE FILED. HE DEMANDED A REFUND, PLUS INTEREST, OF FEES THAT HE HAS PAID.

FRANK CURTIS "X" ASKED FOR AN EXPLANATION OF THE INTENT OF THE ORDINANCES THAT ARE ON THE AGENDA FOR PASSAGE.

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH THANKED JUDGE STELL FOR HER DECISION ON THE SCOPE OF THE MAYOR'S VETO POWER. SHE CRITICIZED THE HISTORIC DISTRICT BOARD AND IT'S FUNCTION.

CONNIE DELANEY OF 3721 AURELIUS RD. NOTED THAT SHE IS NOT RECEIVING A REFUND OF HER STORMWATER ENTERPRISE FEE, SHE IS RECEIVING A REDUCTION. SHE HAS BEEN WORKING TOWARD THIS END FOR 21 MONTHS. SHE THANKED CITY COUNCIL FOR THEIR CONSIDERATION OF HER CLAIM AND STATED THAT SHE HAS ALWAYS BEEN TREATED WITH COURTESY AND RESPECT DURING THIS ENTIRE PROCESS. SHE HAS TAKEN HER APPEAL THROUGH EVERY COMMITTEE POSSIBLE. SHE STILL STANDS UP FOR THE RIGHT OF CITIZENS ON THIS ISSUE. EACH INDIVIDUAL PROPERTY OWNER HAS THE RIGHT TO APPEAL AND THIS RIGHT MUST BE RESPECTED AND ALLOWED TO CULMINATE IN THEIR OWN AGREEMENTS. SHE THANKED COUNCILMEMBERS BENAVIDES, BAUER AND LILLY, ALONG WITH CHAD GAMBLE OF THE PUBLIC SERVICE DEPARTMENT.

#### **LEGISLATIVE MATTERS RESOLUTIONS**



**RESOLUTION #494**  
**BY COUNCILMEMBER ALLEN**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, THE MANAGER OF CODE COMPLIANCE HAS REQUESTED SETTING OF PUBLIC HEARINGS ON ORDERS BY THE DEMOLITION HEARING OFFICERS(S) TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED STRUCTURES AT SEVERAL ADDRESSES; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT PUBLIC HEARINGS BE SCHEDULED AND ANNOUNCED FOR 7:00 P.M. ON MONDAY, SEPTEMBER 29, 1997, IN THE 10TH FLOOR COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT THE ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED AND DANGEROUS STRUCTURES LOCATED AT:

- ▶ 1312 W IONIA; PARCEL NO. 3301 17 253 081 8;  
W 2 FT OF S 5 1/2 R LOT 17 BLOCK 1 G S FRENCH S  
SUB & E 1/2 LOT 6 BLOCK 1 HOLMES PLAT REC L 2 P  
41
- ▶ 1230 E MAIN; PARCEL NO. 3301 22 129 181 9  
E 40 FT OF N 87 FT LOT 1 BLOCK 5 MANUFACTURERS  
ADD NO 1
- ▶ 708 BAKER; PARCEL NO. 3301 22 351 361 4 LOT  
4 BLOCK 1 ASSESSOR S PLAT NO 28 REC L 10 P 33

BE IT FURTHER RESOLVED THAT THE MANAGER OF CODE COMPLIANCE IS REQUESTED TO MAKE ALL REQUIRED NOTIFICATIONS REGARDING THESE HEARINGS.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #495**  
**BY DEVELOPMENT AND PLANNING COMMITTEE**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**  
**SALE OF MILLER ROAD PROPERTY**

WHEREAS, THE CITY HAS RECEIVED AN OFFER FROM K & G WAREHOUSE PROPERTIES, L.L.C. TO PURCHASE A VACANT PARCEL OF CITY OWNED PROPERTY LOCATED IN THE 3200 BLOCK OF W. MILLER ROAD FOR \$97,850.00, AND

WHEREAS, IN ACCORDANCE WITH THE LANSING CITY CHARTER, ARTICLE 8, CHAPTER 4, AND SECTION 208.08 OF THE LANSING CODE OF ORDINANCES, THE OFFER MUST BE PLACED ON FILE IN THE OFFICE OF THE CITY CLERK FOR A THIRTY (30) DAY PERIOD, AND A PUBLIC HEARING ON THE PROPOSED SALE OF THE PROPERTY HELD BEFORE THE CITY COUNCIL SUBSEQUENT TO THAT TIME; AND

WHEREAS, THE OFFER WAS PLACED ON FILE IN THE CITY CLERK'S OFFICE ON MONDAY, AUGUST 25, 1997;

NOW, THEREFORE, BE IT RESOLVED, THAT A PUBLIC HEARING SHALL BE HELD ON MONDAY, SEPTEMBER 29,

1997, TO CONSIDER THE SALE OF THE FOLLOWING PROPERTY:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, T3N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING ON THE NORTH LINE OF SAID SECTION 7 AT A POINT N88°32'24"W, 440.00 FEET FROM THE NORTH 1/4 CORNER OF SECTION 7, T3N, R2W, THENCE S01°25'57"W, 326.00 FEET, THENCE S88°32'24"E, 110.00 FEET; THENCE S01°40'00"W, 334.25 FEET, THENCE S01°07'44"W, 611.73 FEET TO THE NORTH RIGHT OF WAY OF HIGHWAY I-96; THENCE N86°32'W, 164.26 FEET AND N82°52'06"W, 166.49 FEET ALONG SAID I-96 RIGHT OF WAY; THENCE N01°16'20"E, 590.06 FEET; THENCE N01°24'29"E, 659.76 FEET TO THE NORTH LINE OF SAID SECTION 7; THENCE S88°32'24", 220 FEET ON THE NORTH LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #496**  
**BY THE COMMITTEE ON**  
**DEVELOPMENT AND PLANNING**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, THE MAYOR HAS APPOINTED DAVID ANDERSON, 212 CREST STREET, TO THE HISTORIC DISTRICT COMMISSION, FOR A TERM TO EXPIRE JUNE 30, 2000; AND

WHEREAS THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF DAVID ANDERSON TO THE HISTORIC DISTRICT COMMISSION FOR A TERM TO EXPIRE JUNE 30, 2000.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #497**  
**BY THE COMMITTEE ON**  
**DEVELOPMENT AND PLANNING**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, THE MAYOR HAS APPOINTED STEVE MILLER, 3825 BAYVIEW DRIVE, TO THE PLANNING BOARD, FOR A TERM TO EXPIRE JUNE 30, 1999; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF STEVE MILLER TO THE PLANNING BOARD FOR A TERM TO EXPIRE JUNE 30, 1999.

BY COUNCILMEMBER ALLEN



CARRIED UNANIMOUSLY

**RESOLUTION #498**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED ANDREW FREDERICK, 3728 STONELEIGH DRIVE, TO THE BOARD OF ZONING APPEALS, FOR A TERM TO EXPIRE JUNE 30, 1999; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF ANDREW FREDERICK TO THE BOARD OF ZONING APPEALS FOR A TERM TO EXPIRE JUNE 30, 1999

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #499**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED MARY CLARK, 223 S. EIGHTH STREET, TO THE BOARD OF ZONING APPEALS, FOR A TERM TO EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF MARY CLARK TO THE BOARD OF ZONING APPEALS FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #500**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS REAPPOINTED GRANT HILTS, 1016 BRITTEN STREET, TO THE BOARD OF ZONING APPEALS, FOR A TERM TO EXPIRE JUNE 30, 1999; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF GRANT HILTS TO THE BOARD OF ZONING APPEALS FOR A TERM TO EXPIRE JUNE 30, 1999.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #501**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON SEPTEMBER 10, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF MICHAEL L. AND CONNIE K. DELANEY, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO. 3301-35-126-011-8; COMMONLY KNOWN AS 3721 AURELIUS ROAD, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO. 3301-35-126-022-8 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF MICHAEL L. AND CONNIE K. DELANEY WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-35-126-011-8 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 AND 1996 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-35-126-011-8 BE REDUCED FROM \$968.81 TO \$208.37 AND THAT IN THE REDUCTION REIMBURSEMENTS BE GENERATED BY THE ADMINISTRATION; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY MICHAEL L. AND CONNIE K. DELANEY AS THE 1995 AND 1996 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3301-35-126-011-8 GREATER THAN \$208.37 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #502**  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM SHARON J. WILSON, OF WILSON PROPERTIES, TO CHANGE PARKING METER TIME LIMIT FROM TEN HOURS TO TWO HOURS, ON THE EAST SIDE OF THE 200 BLOCK OF NORTH WALNUT STREET. MS. WILSON MADE THIS



REQUEST IN ORDER TO PROVIDE GREATER PARKING TURNOVER FOR CUSTOMERS OF THE BUSINESSES IN THE 200 BLOCK OF NORTH WALNUT;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO LIMIT VEHICLES TO TWO HOURS MAKE PERMANENT THE TEMPORARY TRAFFIC CONTROL ORDER 96-053T REQUIRING NORTHBOUND VEHICLES ON JOHNSON AVENUE TO STOP PRIOR TO ENTERING THE INTERSECTION AT PORTER STREET;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NO. 97-015, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO REQUIRE NORTHBOUND VEHICLES ON JOHNSON AVENUE TO STOP PRIOR TO ENTERING THE INTERSECTION AT PORTER STREET;

BE IT FURTHER RESOLVED, THAT THE EXISTING PARKING REGULATIONS ARE DOCUMENTED ON TRAFFIC CONTROL ORDER NUMBERS 97-015 SUPPORTING THE HISTORICAL PARKING REGULATIONS;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NO. 97-015 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, AND FILED WITH THE CITY CLERK.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #503**  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM MR. ROSS MARTIN OF 2922 WILSON AVENUE, TO PROHIBIT PARKING ON WILSON AVENUE, BETWEEN LEON AVENUE AND PAUL AVENUE. MR. MARTIN MADE THIS REQUEST BECAUSE HE IS CONCERNED ABOUT THE HAZARDOUS SITUATION CREATED BY VEHICLES PARKED ON WILSON AVENUE, IN THE CURVED SECTION OF THE ROADWAY; WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC

BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO INSTALL CURVE WARNING SIGNS, WITH 15 MPH ADVISORY SPEED PANELS FOR EAST AND WESTBOUND TRAFFIC ON WILSON AVENUE; AND THAT PARKING BE PROHIBITED ON THE SOUTH SIDE OF WILSON AVENUE, BETWEEN PAUL AVENUE AND LEON AVENUE;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NO. 97-016, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO PROHIBIT PARKING ON THE SOUTH SIDE OF WILSON AVENUE FROM PAUL AVENUE TO LEON AVENUE;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NO. 97-016 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, FILED WITH THE CITY CLERK, AND THE APPROPRIATE SIGNS ARE ERECTED.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #504**  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM AN UNIDENTIFIED RESIDENT REGARDING A SITE OBSTRUCTION PROBLEM ON MAPLE STREET AT THE INTERSECTION OF PINE STREET. WHEN VEHICLES PARK ON THE SOUTH SIDE OF MAPLE STREET NEAR THE INTERSECTION OF PINE STREET, NORTHBOUND VEHICLES STOPPED ON PINE STREET CAN NOT SEE EASTBOUND VEHICLES ON MAPLE STREET,

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, PURSUANT TO SECTION 2.53(2) OF THE LANSING CODE OF ORDINANCES THE TRANSPORTATION



ENGINEER ON FEBRUARY 13, 1997, ENACTED A TEMPORARY TRAFFIC CONTROL ORDER TO PROHIBITING PARKING ON THE SOUTH SIDE OF MAPLE STREET FROM 100 FEET WEST OF 75 FEET WEST OF PINE STREET TO PINE STREET;

WHEREAS, SITE VISITS TO THE AREA HAVE CONFIRMED THAT THE TEMPORARY PARKING REGULATION HAS DISCOURAGE VEHICLES FROM PARKING ON THE SOUTH SIDE OF MAPLE STREET NEAR THE INTERSECTION OF PINE STREET, THUS REMOVING THE SIGHT OBSTRUCTION FOR NORTHBOUND VEHICLES ON PINE;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO MAKE PERMANENT THE TEMPORARY PARKING REGULATION PROHIBITING PARKING ON THE SOUTH SIDE OF MAPLE STREET FROM 75 FEET WEST OF PINE STREET TO PINE STREET;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NO. 97-017, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO PROHIBIT PARKING ON THE SOUTH SIDE OF MAPLE STREET FROM 75 FEET WEST OF PINE STREET TO PINE STREET;

BE IT FURTHER RESOLVED, THAT THE EXISTING PARKING REGULATIONS ARE DOCUMENTED ON TRAFFIC CONTROL ORDER NUMBER 97-017 SUPPORTING THE HISTORICAL PARKING REGULATIONS;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NO. 97-017 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, AND FILED WITH THE CITY CLERK.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #505**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE GREATER LANSING NON-PROFIT HOUSING CORPORATION HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES THE GREATER LANSING NON-PROFIT HOUSING CORPORATION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**ORDINANCES FOR INTRODUCTION**

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 1460  
THE HOUSING CODE

BY COUNCILMEMBER ALLEN:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, THE HOUSING CODE, FOR THE PURPOSE OF AMENDING SECTIONS 1460.10 THROUGH 1460.99, WAS INTRODUCED BY COUNCILMEMBER ALLEN AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

**RESOLUTION #506**

RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER ALLEN:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, SEPTEMBER 29, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10TH FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTIONS 1460.10 THROUGH 1460.99

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 5

TRAFFIC FINES IN CONSTRUCTION & SCHOOL ZONES

BY COUNCILMEMBER ALLEN:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 5, BY ADDING A NEW SECTION, 5.2(A), FOR THE PURPOSE OF DOUBLING THE FINES FOR MOVING VIOLATIONS IN CONSTRUCTION ZONES, AT EMERGENCY SCENES, AND IN SCHOOL ZONES, WAS INTRODUCED BY COUNCILMEMBER ALLEN AND REFERRED TO THE COMMITTEE PUBLIC SAFETY.



**RESOLUTION #507**  
RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER ALLEN:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, SEPTEMBER 29, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 5, BY ADDING A NEW SECTION, 5.2(A) FOR THE PURPOSE OF DOUBLING THE FINES FOR MOVING VIOLATIONS IN CONSTRUCTION ZONES, AT EMERGENCY SCENES, AND IN SCHOOL ZONES.

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**INTRODUCTION OF ORDINANCE**  
READOPTING THE CODIFIED ORDINANCES  
OF THE CITY OF LANSING

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF PROVIDING THAT THE 1987 CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH OCTOBER 6, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS COMPLETE TO OCTOBER 6, 1997, BE APPROVED AND READOPTED AS THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE GENERAL SERVICES.

**RESOLUTION #508**  
RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, SEPTEMBER 29, 1997, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10TH FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF PROVIDING THAT THE 1987 CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH OCTOBER 6, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS COMPLETE TO OCTOBER 6, 1997, BE APPROVED AND READOPTED AS THE CODIFIED

ORDINANCES OF THE CITY OF LANSING, MICHIGAN

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER BENAVIDES

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER BENAVIDES

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 822, SECTIONS 822.02, 822.03, 822.08, 822.16, 822.17, 822.18 AND 822.19 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING HEALTH MASSAGE AND BATH ESTABLISHMENT LICENSES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 822, SECTIONS 822.02, 822.03, 822.08, 822.16, 822.17, 822.18 AND 822.19 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING HEALTH MASSAGE AND BATH ESTABLISHMENT LICENSES, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBERS BAUER, LILLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 5



NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED)

ABSENT: 2

BY COUNCILMEMBER BENAVIDES

TO RECONSIDER THE MOTION FOR IMMEDIATE EFFECT

CARRIED UNANIMOUSLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY, SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

**ORDINANCE #969**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 822, SECTIONS 822.02, 822.03, 822.08, 822.16, 822.17, 822.18 AND 822.19 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING HEALTH, MASSAGE AND BATH ESTABLISHMENT LICENSES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 822, SECTIONS 822.02, 822.03, 822.08, 822.16, 822.17, 822.18 AND 822.19 BE AMENDED TO READ AS FOLLOWS:

822.02. DEFINITIONS. AS USED IN THIS CHAPTER:

(A) "HEALTH CLUB" MEANS ANY ESTABLISHMENT WHICH OFFERS SERVICES IN THE FORM OF MESSAGES, BATHS, EXERCISES OR SIMILAR SERVICES, SINGLY OR IN COMBINATION, TO CLUB MEMBERS OR TO THE PUBLIC FOR A CHARGE. "HEALTH CLUB" DOES NOT INCLUDE:

- I. HOSPITALS, NURSING HOMES OR MEDICAL CLINICS, OR THE OFFICE OR QUARTERS OF A PHYSICIAN, SURGEON, CHIROPRACTOR OR OSTEOPATH;
- II. EXERCISE CLUBS EXCLUSIVELY FOR MEMBERS OR CLIENTELE WHERE THE SERVICES, WITHOUT MESSAGE IN ANY FORM, ARE PERFORMED BY PERSONS OF THE SAME SEX AS THE MEMBERS OR CLIENTELE, AND WHERE THE FACILITIES ARE NOT UTILIZED BY MEMBERS OF BOTH SEXES AT THE SAME TIME;
- III. BARBER SHOPS AND BEAUTY PARLORS; OR
- IV. THE OFFICE OR QUARTERS OF A QUALIFIED AND CERTIFIED MESSAGE THERAPIST, OR THE HOME, OFFICE OR WORKPLACE OF A CLIENT OF A QUALIFIED AND CERTIFIED MESSAGE THERAPIST, PROVIDED THE MESSAGE THERAPY IS PROVIDED ONLY BY THE QUALIFIED AND CERTIFIED MESSAGE THERAPIST AND NOT BY ANY OTHER PERSON.

(B) "QUALIFIED AND CERTIFIED MESSAGE THERAPIST" MEANS A PERSON WHO HAS SUCCESSFULLY COMPLETED, AS EVIDENCED BY A CERTIFICATE OF COMPLETION, DIPLOMA, CERTIFIED TRANSCRIPT, DEGREE OR OTHER CONFIRMING DOCUMENTATION SATISFACTORY TO THE CITY CLERK, A

COMPREHENSIVE COURSE OF STUDY IN MESSAGE THERAPY AT A SCHOOL EITHER ESTABLISHED BY LEGISLATIVE ENACTMENTS OF THE STATE OR APPROVED BY THE STATE BOARD OF EDUCATION OR BY THE AMERICAN MESSAGE THERAPY ASSOCIATION, OR A COMPREHENSIVE COURSE OF STUDY IN MESSAGE THERAPY SPECIFICALLY LICENSED BY THE STATE BOARD OF EDUCATION. SUCH A COMPREHENSIVE COURSE OF STUDY, IN ORDER TO BE DEEMED ADEQUATE, MUST INCLUDE CLASSES IN ANATOMY, PHYSIOLOGY, MESSAGE PRACTICE AND THEORY, AND RELATED COURSE WORK, AND MUST CONSIST OF A MINIMUM OF 260 HOURS OF INSTRUCTION AND PRACTICAL TRAINING. EFFECTIVE JULY 1, 1990, SUCH A COURSE OF STUDY MUST CONSIST OF A MINIMUM OF 300 HOURS OF INSTRUCTION AND PRACTICAL TRAINING, PROVIDED THAT THIS PROVISION SHALL NOT APPLY TO INDIVIDUALS FIRST APPROVED BY COUNCIL PRIOR TO JULY 1, 1990. ALTERNATIVELY, "QUALIFIED AND CERTIFIED MESSAGE THERAPIST" MEANS A PERSON WHO HAS SUCCESSFULLY COMPLETED THE EXAMINATION OFFERED BY THE AMERICAN MESSAGE THERAPY ASSOCIATION FOR MEMBERSHIP THEREIN, OR WHO HAS BEEN ADMITTED TO MEMBERSHIP THEREIN BY VIRTUE OF HOLDING A STATE LICENSE, AND WHO IS CURRENTLY A MEMBER IN GOOD STANDING THEREIN.

822.03 LICENSE REQUIRED; EXEMPTION.

(A) NO PERSON SHALL ESTABLISH, MAINTAIN, OPERATE OR CONDUCT A HEALTH CLUB WITHOUT FIRST OBTAINING A LICENSE THEREFOR FROM THE CITY CLERK.

(B) NO PERSON WHO HAS FAILED TO OBTAIN A LICENSE TO ESTABLISH, MAINTAIN, OPERATE OR CONDUCT A HEALTH CLUB SHALL BE DEEMED A QUALIFIED AND CERTIFIED MESSAGE THERAPIST UNLESS HE OR SHE HAS FIRST OBTAINED AN EXEMPTION APPROVED BY THE CITY CLERK.

(C) NO PERSON WHO HAS FAILED TO OBTAIN A HEALTH CLUB LICENSE SHALL PROVIDE MESSAGE SERVICES WITHOUT FIRST OBTAINING THE CITY CLERK APPROVAL OF AN EXEMPTION AS A QUALIFIED AND CERTIFIED MESSAGE THERAPIST, UNLESS OTHERWISE EXCLUDED FROM THIS CHAPTER BY THE PROVISIONS HEREOF.

822.08 LICENSE ISSUANCE.

PRIOR TO THE ISSUANCE OR RENEWAL OF ANY LICENSE UNDER THIS CHAPTER, THE CITY CLERK SHALL APPROVE THE LICENSE APPLICATION, INSURANCE POLICY AND BOND REQUIRED BY THIS CHAPTER. UPON APPROVAL BY THE CITY CLERK, AND WHEN THE CITY CLERK IS SATISFIED THAT THE LICENSEE HAS COMPLIED WITH ALL APPLICABLE PROVISIONS OF THESE CODIFIED ORDINANCES AND STATE STATUTES, THE CITY CLERK SHALL IMMEDIATELY ISSUE THE LICENSE.

822.16 INVESTIGATIONS OF APPLICATIONS FOR EXEMPTIONS FOR QUALIFIED AND CERTIFIED MESSAGE THERAPISTS; COUNCIL APPROVAL.

(A) UPON RECEIPT OF AN APPLICATION FOR AN EXEMPTION AS A QUALIFIED AND CERTIFIED MESSAGE THERAPIST FROM THE REQUIREMENTS OF A HEALTH CLUB LICENSE, A COPY OF THE APPLICATION, WITH COPIES OF ANY SUPPORTING DOCUMENTATION, SHALL BE FORWARDED TO THE CHIEF OF POLICE, WHO SHALL CONDUCT AN INVESTIGATION TO VERIFY THE ACCURACY OF THE APPLICANT'S STATEMENTS AS TO FELONY AND MISDEMEANOR CONVICTIONS, IF ANY.



(B) IF, AS A RESULT OF SUCH INVESTIGATION OR AS A RESULT OF THE CITY CLERK'S RECEIPT OF ANY PUBLIC RECORD OR INFORMATION FROM ANY UNBIASED AND ACCURATE SOURCE BEARING ON THE APPLICANT'S FITNESS, THE CITY CLERK DETERMINES THAT THE APPLICANT DOES NOT POSSESS GOOD MORAL CHARACTER, THE CITY CLERK SHALL NOT APPROVE THE APPLICATION FOR AN EXEMPTION. FOR PURPOSES OF THIS SECTION, "GOOD MORAL CHARACTER" MEANS THE PROPENSITY ON THE PART OF THE APPLICANT TO SERVE THE PUBLIC IN A FAIR, HONEST, LAW ABIDING AND OPEN MANNER. IN MAKING ITS DETERMINATION, THE CITY CLERK SHALL NOT CONSIDER INFORMATION NOT REASONABLY RELATED TO THE PRACTICE OF MASSAGE AND THE APPLICANT'S FITNESS TO PRACTICE THE SAME. WITHOUT LIMITING THE SCOPE OF THE CITY CLERK'S REVIEW, CONVICTIONS FOR THEFT, BURGLARY, ROBBERY, FRAUD, SOLICITATION OF PROSTITUTION, PROSTITUTION, OTHER SEX RELATED OFFENSES, VIOLATION OF OBSCENITY LAWS, OR CRIMES INVOLVING VIOLENT OR ASSAULTIVE BEHAVIOR OR SIMILAR OFFENSES, SHALL BE DEEMED RELEVANT TO THE APPLICANT'S MORAL CHARACTER.

(C) THE CITY CLERK SHALL ALSO REVIEW THE APPLICATION FOR AN EXEMPTION AND SUPPORTING DOCUMENTATION TO DETERMINE WHETHER THE APPLICANT HAS SUCCESSFULLY COMPLETED A COURSE OF STUDY DESCRIBED IN SECTION 822.02(B). THE CITY CLERK MAY REQUIRE SUCH ADDITIONAL DOCUMENTATION AS MAY BE NECESSARY TO ASSIST ITS DETERMINATION.

(D) UPON THE DETERMINATION BY THE CITY CLERK THAT THE APPLICANT POSSESSES GOOD MORAL CHARACTER AND MEETS THE DEFINITION OF A QUALIFIED AND CERTIFIED MASSAGE THERAPIST AS SET FORTH IN SECTION 822.02(B), THE CITY CLERK SHALL APPROVE THE EXEMPTION.

(E) WHERE SATISFACTORY DOCUMENTATION HAS NOT BEEN PROVIDED TO THE CITY CLERK, IT SHALL NOT BE OBLIGATED TO APPROVE ANY EXEMPTION BY AN APPLICANT.

(F) UPON THE CITY CLERK'S APPROVAL OF AN EXEMPTION, THE CITY CLERK SHALL ISSUE AN EXEMPTION CERTIFICATE TO THE APPLICANT.

#### 822.17 FEE FOR EXEMPTION AS A QUALIFIED AND CERTIFIED MASSAGE THERAPIST.

THE FEE FOR AN EXEMPTION AS A QUALIFIED AND CERTIFIED MASSAGE THERAPIST SHALL BE AS PROVIDED BY RESOLUTION OF COUNCIL. SUCH FEE SHALL COVER THE NECESSARY INVESTIGATIVE COSTS AND IS NON-REFUNDABLE, REGARDLESS OF THE OUTCOME OF THE INVESTIGATION AND DECISION BY THE CITY CLERK.

#### 822.18 NOTICE OF DENIAL OF LICENSE OR EXEMPTION AS A QUALIFIED AND CERTIFIED MASSAGE THERAPIST.

IF THE CITY CLERK DENIES AN APPLICATION FOR A HEALTH CLUB LICENSE OR AN APPLICATION FOR AN EXEMPTION AS A QUALIFIED AND CERTIFIED MASSAGE THERAPIST, THE CITY CLERK SHALL NOTIFY THE APPLICANT OF SUCH DENIAL BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT REQUESTED, SENT TO THE ADDRESS ON THE APPLICATION. THE NOTICE OF DENIAL SHALL INCLUDE A STATEMENT OF THE REASONS THEREFOR.

#### 822.19 APPEALS.

ANY APPLICANT AGGRIEVED BY THE ACTION OF THE CITY CLERK IN THE DENIAL OF A LICENSE AS A HEALTH CLUB, OR IN THE DENIAL OF AN EXEMPTION AS A QUALIFIED AND CERTIFIED MASSAGE THERAPIST, MAY APPEAL TO COUNCIL BY FILING, WITHIN FOURTEEN DAYS AFTER NOTICE OF THE DENIAL HAS BEEN MAILED TO THE APPLICANT'S ADDRESS CONTAINED ON THE APPLICATION, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL. UPON APPEAL TO COUNCIL, THE MATTER SHALL BE REFERRED TO THE GENERAL SERVICES COMMITTEE FOR CONSIDERATION. THE COMMITTEE SHALL SET A TIME AND PLACE FOR A HEARING ON SUCH APPEAL AND NOTICE OF SUCH HEARING SHALL BE GIVEN BY REGISTERED OR CERTIFIED MAIL. AFTER REVIEWING THE APPEAL, THE GENERAL SERVICES COMMITTEE SHALL MAKE A RECOMMENDATION TO THE COUNCIL FOR FINAL DECISION. THE DECISION OF COUNCIL ON SUCH APPEAL SHALL BE FINAL AND CONCLUSIVE.

SECTION 2. ALL ORDINANCES; RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER BENAVIDES

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 826, SECTIONS 826.02 AND 826.04 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING JUNK DEALER LICENSES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 826, SECTIONS 826.02 AND 826.04 OF THE CODE OF



ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING JUNK DEALER LICENSES, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBERS BAUER, LILLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED)

ABSENT: 2

BY COUNCILMEMBER BENAVIDES

TO RECONSIDER THE MOTION FOR IMMEDIATE EFFECT

CARRIED UNANIMOUSLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY, SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

#### ORDINANCE #970

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 826, SECTIONS 826.02 AND 826.04 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING JUNK DEALER LICENSES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 826, SECTIONS 826.02, AND 826.04 BE AMENDED TO READ AS FOLLOWS:

826.02 LICENSE APPLICATION; INVESTIGATION; BOND; FEE; EXPIRATION.

APPLICATION FOR THE LICENSE REQUIRED IN SECTION 826.01 SHALL BE MADE TO THE CITY CLERK ON BLANKS FURNISHED BY HIM OR HER AND SHALL BE AT ONCE REFERRED BY HIM OR HER TO THE CHIEF OF POLICE FOR INVESTIGATION AS TO THE MORAL CHARACTER AND PREVIOUS RECORD OF THE APPLICANT. THE CHIEF SHALL REPORT HIS

OR HER FINDINGS AS SPEEDILY AS POSSIBLE TO THE CITY CLERK. SUCH APPLICATION SHALL CONTAIN THE NAME OF THE APPLICANT AND THE PLACE PROPOSED TO BE OPERATED BY HIM OR HER AS A JUNK SHOP OR JUNK YARD OR PLACE FOR THE DISMANTLING OF AUTOMOBILES, AND SHALL BE ACCOMPANIED BY A BOND EXECUTED BY A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE IN THE SUM OF TWO HUNDRED DOLLARS (\$200.00), CONDITIONED ON THE FAITHFUL OBSERVANCE OF ALL LAWS OF THE STATE, THE PROVISIONS OF THE CITY CHARTER AND THIS CHAPTER AND ALL REGULATIONS AND CONDITIONS PASSED BY COUNCIL HEREUNDER. IF SUCH INVESTIGATION SHOWS THE APPLICANT TO BE OF GOOD MORAL CHARACTER, THE CITY CLERK SHALL ISSUE SUCH APPLICANT A LICENSE TO OPERATE A JUNK SHOP OR JUNK YARD OR A PLACE FOR THE DISMANTLING OF AUTOMOBILES, UPON THE PAYMENT OF A LICENSE FEE AS SET BY RESOLUTION OF COUNCIL. EACH SUCH LICENSE SHALL EXPIRE ON APRIL 30 FOLLOWING THE DATE OF ISSUANCE.

826.04 USE OF WAGONS; LICENSE; FEE; BOND; VEHICLE TAG.

THE CITY CLERK IS HEREBY AUTHORIZED TO GRANT A LICENSE TO ANY PERSON OF GOOD CHARACTER TO ENGAGE IN THE BUSINESS OF BUYING AND SELLING JUNK WITH A CART, WAGON OR OTHER VEHICLE UPON THE PAYMENT OF A SUM SET BY RESOLUTION OF COUNCIL AND THE EXECUTION OF A BOND TO THE CITY IN THE PENAL SUM OF TWO HUNDRED DOLLARS (\$200.00) WITH TWO OR MORE SURETIES, TO BE APPROVED BY THE CITY CLERK, CONDITIONED THAT SUCH DEALER WILL FAITHFULLY OBSERVE THE PROVISIONS OF THE CITY CHARTER AND ORDINANCES OF THE CITY. EVERY PERSON RECEIVING SUCH LICENSE SHALL HAVE THE NUMBER OF HIS OR HER LICENSE PLACED IN A CONSPICUOUS PLACE ON EACH SIDE OF HIS OR HER VEHICLE BY MEANS OF TWO LABELS CONTAINING SUCH NUMBER AND SECURELY FASTENED TO SUCH VEHICLE SO THAT THEY CAN BE EASILY AND PLAINLY SEEN. SUCH LABELS SHALL BE FURNISHED BY THE CITY CLERK AND SHALL BE OF SUITABLE DESIGN AND PATTERN, WHICH DESIGN SHALL BE CHANGED ON MAY 1 OF EACH YEAR, FOR USE DURING THE SUCCEEDING YEAR.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES.

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER BENAVIDES



THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ  
IN ITS ENTIRETY.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES  
OF THE CITY OF LANSING BY AMENDING CHAPTER 840.10,  
SECTIONS 840.04, 840.05 AND ADDING SECTION  
840.10 TO THE CODE OF ORDINANCES FOR THE PURPOSE  
OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND  
GRANTING OUTDOOR GATHERING LICENSES, BE PLACED ON  
ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES  
OF THE CITY OF LANSING BY AMENDING CHAPTER 840.10,  
SECTIONS 840.04, 840.05 AND ADDING SECTION  
840.10 TO THE CODE OF ORDINANCES FOR THE PURPOSE  
OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND  
GRANTING OUTDOOR GATHERING LICENSES, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES,  
LEEMAN, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBERS BAUER, LILLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE  
PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY  
SHALL TAKE EFFECT UPON IT'S PASSAGE

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND  
UNEXCUSED)

ABSENT: 2

BY COUNCILMEMBER BENAVIDES

TO RECONSIDER THE MOTION FOR IMMEDIATE EFFECT

CARRIED UNANIMOUSLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE  
PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY,  
SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

ORDINANCE #971

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO  
AMEND CHAPTER 840, SECTIONS 840.04, 840.05  
AND ADD A SECTION 840.10 OF THE CODIFIED  
ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR  
THE PURPOSE OF PROVIDING A CHANGE TO THE  
METHOD OF HANDLING AND GRANTING OUTDOOR  
GATHERING LICENSES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 840, SECTIONS 840.04,  
840.05 AND ADD 840.10 BE AMENDED TO READ AS  
FOLLOWS:

840.04 LICENSE APPLICATION.

(A) APPLICATION FOR A LICENSE TO CONDUCT AN  
OUTDOOR ASSEMBLY MUST BE MADE IN WRITING ON SUCH  
FORMS AND IN SUCH MANNER AS PRESCRIBED BY THE CITY  
CLERK AND SHALL BE MADE AT LEAST SIXTY DAYS PRIOR TO  
THE DATE OF THE PROPOSED ASSEMBLY. EACH SUCH  
APPLICATION SHALL BE ACCOMPANIED BY A NON-REFUNDABLE  
FEE AS SET BY RESOLUTION OF COUNCIL AND SHALL INCLUDE  
AT LEAST THE FOLLOWING:

- (1) THE NAME, AGE, RESIDENCE AND MAILING  
ADDRESS OF THE PERSON MAKING THE  
APPLICATION. IF THE PERSON MAKING THE  
APPLICATION IS A PARTNERSHIP, CORPORATION  
OR OTHER ASSOCIATION, SUCH INFORMATION  
SHALL BE PROVIDED FOR ALL PARTNERS,  
OFFICERS, DIRECTORS OR MEMBERS.  
FURTHERMORE, IF THE PERSON IS A  
CORPORATION, A COPY OF THE ARTICLES OF  
INCORPORATION SHALL BE FILED, AND THE NAMES  
AND ADDRESSES OF ALL SHAREHOLDERS HAVING  
FINANCIAL INTEREST GREATER THAN FIVE  
HUNDRED DOLLARS (\$500.00) SHALL BE  
PROVIDED.
- (2) A STATEMENT OF THE KIND, CHARACTER AND TYPE  
OF PROPOSED ASSEMBLY;
- (3) THE ADDRESS, LEGAL DESCRIPTION AND PROOF  
OF OWNERSHIP OF THE SITE AT WHICH THE  
PROPOSED ASSEMBLY IS TO BE CONDUCTED.  
WHERE OWNERSHIP IS NOT VESTED IN THE  
PROSPECTIVE LICENSEE, HE OR SHE SHALL  
SUBMIT AN AFFIDAVIT FROM THE OWNER  
INDICATING HIS OR HER CONSENT TO THE USE OF  
THE SITE FOR THE PROPOSED ASSEMBLY.
- (4) THE DATE OR DATES AND HOURS DURING WHICH  
THE PROPOSED ASSEMBLY IS TO BE CONDUCTED;  
AND
- (5) AN ESTIMATE OF THE MAXIMUM NUMBER OF  
ATTENDANTS EXPECTED AT THE ASSEMBLY FOR  
EACH DAY THE ASSEMBLY IS CONDUCTED AND A  
DETAILED EXPLANATION OF THE EVIDENCE OF  
ADMISSION THAT WILL BE USED AND OF THE  
SEQUENTIAL NUMBERING OR OTHER METHOD THAT  
WILL BE USED FOR ACCOUNTING PURPOSES.

(B) EACH APPLICATION SHALL BE ACCOMPANIED BY A  
DETAILED EXPLANATION, INCLUDING DRAWINGS AND DIAGRAMS  
WHERE APPLICABLE, OF THE PROSPECTIVE LICENSEE'S PLANS  
TO PROVIDE FOR THE FOLLOWING:

- (1) POLICE AND FIRE PROTECTION;



- (2) FOOD AND WATER SUPPLY AND FACILITIES;
- (3) HEALTH AND SANITATION FACILITIES;
- (4) MEDICAL FACILITIES AND SERVICES, INCLUDING EMERGENCY VEHICLES AND EQUIPMENT;
- (5) VEHICLE ACCESS AND PARKING FACILITIES;
- (6) CAMPING AND TRAILER FACILITIES;
- (7) ILLUMINATION FACILITIES;
- (8) COMMUNICATIONS FACILITIES;
- (9) NOISE CONTROL AND ABATEMENT;
- (10) FACILITIES FOR CLEANUP AND WASTE DISPOSAL; AND
- (11) INSURANCE AND BONDING ARRANGEMENTS.

IN ADDITION, THE APPLICATION SHALL BE ACCOMPANIED BY A MAP OR MAPS OF THE OVERALL SITE OF THE PROPOSED ASSEMBLY.

(C) ON RECEIPT BY THE CITY CLERK, COPIES OF THE APPLICATION SHALL BE FORWARDED TO THE CHIEF OF POLICE, THE COUNTY HEALTH DEPARTMENT, THE STATE FIRE MARSHAL AND SUCH OTHER APPROPRIATE PUBLIC OFFICIALS AS THE CLERK DEEMS NECESSARY. SUCH OFFICERS AND OFFICIALS SHALL REVIEW AND INVESTIGATE MATTERS RELEVANT TO THE APPLICATION AND WITHIN TWENTY DAYS OF RECEIPT THEREOF SHALL REPORT THEIR FINDINGS AND RECOMMENDATIONS TO THE CITY CLERK.

#### 840.05 LICENSE ISSUANCE OR DENIAL.

(A) WITHIN THIRTY DAYS OF THE FILING OF THE APPLICATION REQUIRED IN SECTION 840.04, THE CITY CLERK SHALL ISSUE, SET CONDITIONS PREREQUISITE TO THE ISSUANCE OF, OR DENY, THE LICENSE APPLIED FOR. THE CITY CLERK MAY REQUIRE THAT ADEQUATE SECURITY OR INSURANCE IS PROVIDED BEFORE A LICENSE IS ISSUED. WHERE CONDITIONS ARE IMPOSED AS PREREQUISITE TO THE ISSUANCE OF A LICENSE, OR WHERE A LICENSE IS DENIED, NOTICE THEREOF MUST BE MAILED TO THE APPLICANT BY CERTIFIED MAIL, WITHIN FIVE DAYS OF SUCH IMPOSITION OR DENIAL. IN THE CASE OF DENIAL, THE REASONS THEREFOR SHALL BE STATED IN THE NOTICE.

(B) A LICENSE MAY BE DENIED IF:

- (1) THE APPLICANT FAILS TO COMPLY WITH ANY OR ALL REQUIREMENTS OF THIS CHAPTER, WITH ANY OR ALL CONDITIONS IMPOSED PURSUANT HERETO OR WITH ANY OTHER APPLICABLE PROVISION OF STATE OR LOCAL LAW; OR
- (2) THE APPLICANT HAS KNOWINGLY MADE A FALSE, MISLEADING OR FRAUDULENT STATEMENT IN THE APPLICATION OR IN ANY SUPPORTING DOCUMENT.

#### 840.10 APPEALS.

ANY APPLICANT AGGRIEVED BY THE ACTION OF THE CITY CLERK IN THE DENIAL OF A LICENSE OF AN OUTDOOR GATHERING, MAY APPEAL TO COUNCIL BY FILING, WITHIN FOURTEEN DAYS AFTER NOTICE OF THE DENIAL HAS BEEN MAILED TO THE APPLICANT'S ADDRESS CONTAINED ON THE APPLICATION, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL. UPON APPEAL TO COUNCIL, THE MATTER SHALL BE REFERRED TO THE GENERAL SERVICES COMMITTEE FOR CONSIDERATION. THE COMMITTEE SHALL SET A TIME AND PLACE FOR A HEARING ON SUCH APPEAL AND NOTICE OF SUCH HEARING SHALL BE GIVEN BY REGISTERED OR CERTIFIED MAIL. AFTER REVIEWING THE APPEAL, THE GENERAL SERVICES

COMMITTEE SHALL MAKE A RECOMMENDATION TO THE COUNCIL FOR FINAL DECISION. THE DECISION OF COUNCIL ON SUCH APPEAL SHALL BE FINAL AND CONCLUSIVE.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER BENAVIDES

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 852, SECTION 852.06 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING RUBBISH HAULER LICENSES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 852, SECTION 852.06 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING RUBBISH HAULER LICENSES, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBERS BAUER, LILLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE



MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED)

ABSENT: 2

BY COUNCILMEMBER BENAVIDES

TO RECONSIDER THE MOTION FOR IMMEDIATE EFFECT

CARRIED UNANIMOUSLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY, SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

**ORDINANCE #972**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 852, SECTION 852.06 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING RUBBISH HAULERS LICENSES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 852, SECTION 852.06 BE AMENDED TO READ AS FOLLOWS: 852.06 LICENSE ISSUANCE; LIABILITY INSURANCE.

THE CITY CLERK SHALL ISSUE THE LICENSE REQUIRED IN SECTION 852.02 IF THE FOLLOWING CONDITIONS ARE MET:

(A) UPON FILING AN APPLICATION, AS PROVIDED IN SECTION 852.03;

(B) UPON RECEIPT OF AN INSPECTION REPORT APPROVED BY THE OFFICE OF BUILDING SAFETY;

(C) UPON PROOF SUBMITTED IN THE FORM OF A POLICY OF INSURANCE ISSUED BY A COMPANY LICENSED TO DO BUSINESS IN THE STATE, OR A CERTIFICATE THAT SUCH POLICY IS ISSUED AND OUTSTANDING, BY THE APPLICANT OF HIS OR HER ABILITY TO RESPOND IN DAMAGES FOR ANY LIABILITY THEREAFTER INCURRED, RESULTING FROM THE OWNERSHIP, MAINTENANCE, USE OR OPERATION OF A MOTOR VEHICLE; TRAILER OR TRUCK LICENSED TO HIM OR HER, FOR PERSONAL INJURY OR DEATH OF ANY ONE PERSON, FOR LIABILITY IMPOSED UPON HIM OR HER, FOR INJURY OR DEATH TO TWO OR MORE PERSONS AND FOR DAMAGE TO PROPERTY IN ANY ONE ACCIDENT IN THE MINIMUM AMOUNTS REQUIRED BY STATE LAW; AND

(D) UPON PAYMENT OF THE LICENSE FEE PROVIDED IN SECTION 852.04.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES

MARILYNN SLADE, CITY CLERK

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER BENAVIDES

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 856, SECTIONS 856.03, 856.10, AND ADDING SECTION 856.11 TO THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING SECOND HAND DEALERS LICENSES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 856, SECTIONS 856.03, 856.10, AND ADDING SECTION 856.11 TO THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING SECOND HAND DEALERS LICENSES, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBERS BAUER, LILLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

MOTION FAILED BY THE FOLLOWING VOTE:



YEAS: 5

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED)

ABSENT: 2

BY COUNCILMEMBER BENAVIDES

TO RECONSIDER THE MOTION FOR IMMEDIATE EFFECT

CARRIED UNANIMOUSLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY, SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

**ORDINANCE #973**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 856, SECTIONS 856.03, 856.10 AND ADD A SECTION 856.11 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING, GRANTING AND APPEAL SECONDHAND DEALERS LICENSES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 856, SECTION 856.03, 856.10 BE AMENDED AND ADD 856.11 TO READ AS FOLLOWS:

856.03 LICENSE APPLICATION, FEE, TERM AND TRANSFER; BOND.

(C) A PERSON WHO WISHES TO ENGAGE IN THE BUSINESS OF DEALING IN, BUYING, SELLING AND EXCHANGING SECONDHAND GOODS, ARTICLES OR MERCHANDISE SHALL MAKE APPLICATION TO THE CITY CLERK, WHO IS AUTHORIZED TO GRANT A LICENSE THEREFOR UPON APPROVAL OF THE CHIEF OF POLICE UPON PAYMENT OF A LICENSE FEE SET BY RESOLUTION OF COUNCIL AND UPON FILING OF A BOND IN THE PENAL SUM OF TWO HUNDRED DOLLARS (\$200.00), PAYABLE TO THE CITY, SUCH BOND TO BE SIGNED BY TWO OR MORE SURETIES OR BY A SURETY COMPANY QUALIFIED TO DO BUSINESS IN THIS STATE, AND APPROVED BY THE CITY CLERK AND CONDITIONED ON THE FAITHFUL OBSERVANCE BY THE LICENSEE OF ALL PROVISIONS OF THIS CHAPTER.

(B) SUCH LICENSE SHALL NOT BE TRANSFERABLE.

856.10 LICENSE REVOCATION.

IF A LICENSEE UNDER THIS CHAPTER OR ANY OF HIS OR HER EMPLOYEES IS FOUND GUILTY OF VIOLATING ANY OF THE PROVISIONS OF THIS CHAPTER, THE CHIEF OF POLICE SHALL REPORT SUCH VIOLATION TO THE CITY CLERK, WHICH, AFTER NOTICE TO THE LICENSEE, SHALL REVOKE HIS OR HER LICENSE. THE VIOLATOR, UPON SUCH REVOCATION, SHALL NOT BE PERMITTED TO CARRY ON SUCH BUSINESS IN THE

CITY FOR A PERIOD OF ONE YEAR AFTER SUCH REVOCATION.

856.11 APPEALS.

ANY PERSON AGGRIEVED BY THE ACTION OF THE CITY CLERK IN THE REVOCATION OF A LICENSE AS A SECONDHAND DEALER, MAY APPEAL TO COUNCIL BY FILING, WITHIN FOURTEEN DAYS AFTER NOTICE OF THE DENIAL HAS BEEN MAILED TO THE APPLICANT'S ADDRESS CONTAINED ON THE APPLICATION, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL. UPON APPEAL TO COUNCIL, THE MATTER SHALL BE REFERRED TO THE GENERAL SERVICES COMMITTEE FOR CONSIDERATION. THE COMMITTEE SHALL SET A TIME AND PLACE FOR A HEARING ON SUCH APPEAL AND NOTICE OF SUCH HEARING SHALL BE GIVEN BY REGISTERED OR CERTIFIED MAIL. AFTER REVIEWING THE APPEAL, THE GENERAL SERVICES COMMITTEE SHALL MAKE A RECOMMENDATION TO THE COUNCIL FOR FINAL DECISION. THE DECISION OF COUNCIL ON SUCH APPEAL SHALL BE FINAL AND CONCLUSIVE.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER BENAVIDES

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 872, SECTIONS 872.03, 872.04, 872.10 AND 872.12 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING VEHICLES FOR HIRE LICENSES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES



RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 872, SECTIONS 872.03, 872.04, 872.10 AND 872.12 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING VEHICLES FOR HIRE LICENSES, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBERS BAUER, LILLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 1 (COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED)

ABSENT: 2

BY COUNCILMEMBER BENAVIDES

TO RECONSIDER THE MOTION FOR IMMEDIATE EFFECT

CARRIED UNANIMOUSLY

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY, SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

# ORDINANCE #974

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 872, SECTIONS 872.03, 872.04, 872.10 AND 872.12 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF PROVIDING A CHANGE TO THE METHOD OF HANDLING AND GRANTING VEHICLES FOR HIRE LICENSES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 872, SECTIONS 872.03, 872.04, 872.10 AND 872.12 BE AMENDED TO READ AS FOLLOWS:

872.03 LICENSE APPLICATION, FEE AND ISSUANCE; BOND INSURANCE.

THE CITY CLERK IS HEREBY AUTHORIZED TO GRANT A LICENSE FOR THE PURPOSE OF OPERATING A TAXICAB, LIMOUSINE,

SHUTTLE BUS OR HORSE-DRAWN CARRIAGE TO ANY PERSON WHO IS A RESIDENT OF THE STATE AND OF THE AGE OF EIGHTEEN YEARS OR OLDER, OR TO ANY CORPORATION OR PARTNERSHIP AUTHORIZED TO OPERATE TAXICABS, LIMOUSINES, SHUTTLE BUSES OR HORSE-DRAWN CARRIAGES IN ACCORDANCE WITH THE LAWS OF THE STATE, PROVIDED THAT THE FOLLOWING CONDITIONS ARE COMPLIED WITH:

(D) THE APPLICANT SHALL FILE WITH THE CLERK A BOND IN THE SUM OF FIVE THOUSAND DOLLARS (\$5,000), CONDITIONED THAT EACH TAXICAB, LIMOUSINE, SHUTTLE BUS OR HORSE-DRAWN CARRIAGE WILL BE OPERATED IN ACCORDANCE WITH THE LAWS OF THE STATE AND THE CHARTER, ORDINANCES AND REGULATIONS OF THE CITY, AND THAT ANY JUDGMENT RENDERED IN ANY COURT AGAINST SUCH APPLICANT OR THE DRIVER OF ANY TAXICAB, LIMOUSINE, SHUTTLE BUS OR HORSE-DRAWN CARRIAGE FOR FAILURE TO COMPLY WITH ANY PROVISION OF THE LAWS OF THE STATE OR THE CHARTER OR ORDINANCES OF THE CITY, WILL BE PAID.

(E) THE APPLICANT SHALL FILE WITH THE CLERK A COPY OF A POLICY OR INSURANCE CERTIFICATE EVIDENCING THAT THE APPLICANT HAS OBTAINED INSURANCE FROM AN INSURANCE COMPANY PERMITTED TO DO BUSINESS IN THE STATE. SUCH INSURANCE POLICY OR INSURANCE CERTIFICATE SHALL DEMONSTRATE THAT THE APPLICANT IS ADEQUATELY INSURED AGAINST ANY LIABILITY IMPOSED UPON THE APPLICANT ARISING OUT OF THE OPERATION OF ANY TAXICAB, LIMOUSINE, SHUTTLE BUS OR HORSE-DRAWN CARRIAGE, WHICHEVER IS APPLICABLE, UNDER THIS CHAPTER AND IN COMPLIANCE WITH STATE LAW, AND SHALL PROVIDE, TO ANY PERSON INJURED OR KILLED, FOR THE PAYMENT OF NOT LESS THAN ONE HUNDRED THOUSAND DOLLARS (\$100,000) FOR THE INJURY OR DEATH OF ANY ONE PERSON AND FOR THE PAYMENT OF NOT LESS THAN THREE HUNDRED THOUSAND DOLLARS (\$300,000) FOR INJURIES TO OR DEATH OF MORE THAN ONE PERSON, AND FOR PROPERTY DAMAGE NOT LESS THAN ONE HUNDRED THOUSAND DOLLARS (\$100,000).

(F) THE POLICY OR INSURANCE CERTIFICATE REQUIRED IN SUBSECTION (B) HEREOF AND THE BOND REQUIRED IN SUBSECTION (A) HEREOF SHALL BEAR AN ENDORSEMENT THAT THE INSURANCE COMPANY SHALL NOTIFY THE CITY CLERK AT LEAST TWENTY DAYS PRIOR TO THE EXPIRATION OF SUCH POLICY OR BOND, WHETHER BY WAY OF CANCELLATION OR LIMITATION OF TERM.

(G) THE APPLICANT SHALL FILE WITH THE CLERK THE NUMBER OF TAXICABS, LIMOUSINES, SHUTTLE BUSES OR HORSE-DRAWN CARRIAGES TO BE OPERATED UNDER THE LICENSE, IF GRANTED, AND A DESCRIPTION OF EACH SUCH VEHICLE, INCLUDING THE MAKER'S NAME, THE SERIAL NUMBER, THE MODEL AND THE YEAR.

(H) THE APPLICANT SHALL PAY TO THE CLERK A NON-REFUNDABLE FEE, SET BY RESOLUTION OF COUNCIL, FOR EACH TAXICAB, LIMOUSINE, SHUTTLE BUS OR HORSE-DRAWN CARRIAGE TO BE KEPT AND USED AS AFORESAID FOR HIRE.

(I) UPON THE GRANTING OF SUCH LICENSE, A CITY IDENTIFICATION EMBLEM SHALL BE AFFIXED AT ALL TIMES TO THE REAR WINDOW OF EACH TAXICAB,



LIMOUSINE OR SHUTTLE BUS AND TO THE REAR OF EACH HORSE-DRAWN CARRIAGE.

**872.04 LICENSE EXPIRATION, REVOCATION AND DENIAL.**

(A) IN GENERAL. EACH LICENSE ISSUED UNDER SECTION 872.03, REGARDLESS OF WHEN ISSUED, SHALL AUTOMATICALLY EXPIRE, UNLESS REVOKED EARLIER, ONE YEAR FROM THE DATE OF ORIGINAL ISSUANCE, OR ONE YEAR FROM THE DATE OF ANY RENEWAL, AS APPLICABLE, BUT MAY BE REVOKED AT ANY TIME BY COUNCIL FOR CAUSE.

THE CITY CLERK MAY REVOKE OR REFUSE TO ISSUE A LICENSE FOR OPERATING A TAXICAB, LIMOUSINE, SHUTTLE BUS OR HORSE-DRAWN CARRIAGE FOR FAILURE TO COMPLY WITH ANY OF THE CONDITIONS PRESCRIBED IN SECTION 872.03.

(B) APPEAL REQUEST

ANY APPLICANT OR LICENSE HOLDER AGGRIEVED BY THE PROPER ACTION OF THE CITY CLERK IN THE DENIAL OF A LICENSE, DENIAL OF A LICENSE RENEWAL, OR A REVOCATION OF AN ALREADY EXISTING LICENSE, MAY APPEAL TO COUNCIL BY FILING, WITHIN FOURTEEN (14) DAYS AFTER NOTICE OF THE PROPOSED DENIAL OR REVOCATION HAS BEEN MAILED TO THE APPLICANT OR LICENSE HOLDER'S ADDRESS CONTAINED ON THE APPLICATION, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL.

(C) HEARING REQUIRED. UPON RECEIPT OF A WRITTEN APPEAL OF THE PROPOSED DENIAL OF A LICENSE, A DENIAL OF A LICENSE RENEWAL, OR A REVOCATION OF AN ALREADY EXISTING LICENSE, COUNCIL OR ITS DESIGNATED HEARING OFFICER SHALL HOLD A HEARING ON THE MATTER TO DEVELOP PROPOSED FINDINGS OF FACT AND A PROPOSED CONCLUSION. IN LIEU OF DESIGNATING A HEARING OFFICER, COUNCIL MAY AUTHORIZE THE GENERAL SERVICES COMMITTEE TO CONDUCT THE HEARING. THE APPLICANT OR LICENSE HOLDER SHALL BE SERVED WITH NOTICE OF SUCH HEARING BY FIRST CLASS MAIL, MAILED NOT LESS THAN TEN DAYS PRIOR TO THE HEARING DATE. SUCH NOTICE SHALL CONTAIN A DESCRIPTION OF THE PROPOSED CITY COUNCIL ACTION, REASONS FOR THE PROPOSED ACTION, THE DATE, TIME AND PLACE OF THE HEARING AND A STATEMENT THAT THE APPLICANT OR LICENSE HOLDER MAY PRESENT EVIDENCE AND TESTIMONY AND MAY CONFRONT WITNESSES AT THE HEARING.

(D) FINDINGS AND CONCLUSION. A TRANSCRIPT AND/OR DETAILED MINUTES OF THE HEARING SHALL BE AVAILABLE FOR REVIEW BY ALL PARTIES. IF THE DESIGNATED HEARING OFFICER OR COMMITTEE CONDUCTS THE HEARING, SUCH OFFICER OR COMMITTEE SHALL FORWARD TO COUNCIL PROPOSED FINDINGS OF FACT AND A PROPOSED CONCLUSION, ALONG WITH A TRANSCRIPT AND/OR DETAILED MINUTES OF THE PROCEEDINGS. COUNCIL MAY AFFIRM, MODIFY OR DISAFFIRM THE HEARING OFFICER'S PROPOSED FINDINGS OF FACT AND CONCLUSION OR CONDUCT A NEW HEARING. COUNCIL'S DECISION SHALL BE FINAL, AND THE CLERK SHALL PROVIDE A COPY OF COUNCIL'S ACTION TO THE APPLICANT OR LICENSE HOLDER.

**872.10 WRECKERS; LICENSE REQUIRED; CONDITIONS; FEES.**

NO PERSON SHALL OPERATE OR CAUSE TO BE OPERATED A

WRECKER UPON THE STREETS OF THE CITY WITHOUT FIRST OBTAINING EITHER A CLASS A LICENSE OR A CLASS B LICENSE TO DO SO FROM THE CITY.

(A) IN ORDER TO OBTAIN OR OPERATE UNDER A CLASS A LICENSE, A PERSON SHALL:

- (1) AGREE TO SERVICE NON-PREFERENCE POLICE CALLS TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK, INCLUDING HOLIDAYS;
- (2) EMPLOY A TWENTY-FOUR HOUR DISPATCH OPERATOR ON THE BUSINESS PREMISES FOR PURPOSES OF OPERATING A COMMUNICATIONS HOOKUP TWENTY-FOUR HOURS A DAY;
- (3) MAINTAIN A MINIMUM OF FIVE WRECKERS AVAILABLE FOR USE, ONE OF WHICH SHALL BE A HEAVY-DUTY WRECKER CAPABLE OF FLIPPING AND TOWING INOPERABLE OR WRECKED SEMITRAILER TRUCKS. SUCH HEAVY-DUTY WRECKER SHALL HAVE THE CAPACITY TO HANDLE AT LEAST A 60,000 POUND TOW;
- (4) MAINTAIN A DISPATCHING OFFICE AND AN ENCLOSED STORAGE YARD WITHIN THE CITY;
- (5) MAINTAIN, AT A MINIMUM, STORAGE LOT BUSINESS HOURS FOR THE PUBLIC TO OBTAIN POSSESSION OF STORED VEHICLES FROM 6:00 A.M. TO 10:00 P.M. WEEKDAYS AND SATURDAYS, AND FROM 10:00 A.M. TO 4:00 P.M. SUNDAYS AND HOLIDAYS;
- (6) EMPLOY AN ADEQUATE STAFF OF TRAINED AND CITY-LICENSED WRECKER OPERATORS;
- (7) COMPLY WITH ALL POLICE OPERATIONAL PROCEDURES; AND
- (8) RESPOND TO REQUESTS BY PRIVATE PROPERTY OWNERS OR PERSONS LAWFULLY IN POSSESSION OR CONTROL OF PROPERTY TO REMOVE VEHICLES CITED BY THE POLICE DEPARTMENT FOR A VIOLATION OF SECTION 8.07 OF THE UNIFORM TRAFFIC CODE, AS ENACTED IN SECTION 420.03 OF THE TRAFFIC CODE.

(B) IN ORDER TO OBTAIN OR OPERATE UNDER A CLASS B LICENSE, A PERSON SHALL HAVE A MINIMUM OF ONE WRECKER AVAILABLE FOR SERVICE CALLS AT ALL TIMES AND SHALL EMPLOY AN ADEQUATE STAFF OF TRAINED AND CITY-LICENSED WRECKER OPERATORS.

(C) THE CITY CLERK IS HEREBY AUTHORIZED TO GRANT SUCH CLASS A AND CLASS B LICENSES. SUCH LICENSES SHALL EXPIRE ON APRIL 30 OF EACH YEAR, UNLESS REVOKED EARLIER AS PROVIDED IN SECTION 872.13. NON-REFUNDABLE FEES TO BE PAID FOR A CLASS A OR A CLASS B LICENSE AND FOR EACH WRECKER KEPT AND USED UNDER EACH SUCH LICENSE SHALL BE DETERMINED BY RESOLUTION OF COUNCIL. THE CLERK SHALL ISSUE A CITY IDENTIFICATION EMBLEM FOR EACH LICENSED WRECKER, INDICATING THAT SUCH VEHICLE IS LICENSED. EACH EMBLEM SHALL BE AFFIXED TO THE INNER SIDE OF THE LOWER RIGHT-HAND CORNER OF THE FRONT WINDSHIELD. WRECKER LICENSES ARE NOT TRANSFERABLE FROM ONE PERSON TO ANOTHER, BUT A LICENSE MAY BE TRANSFERRED FROM ONE WRECKER TO ANOTHER WRECKER UPON APPLICATION TO THE CLERK AND UPON PAYMENT OF A NON-REFUNDABLE TRANSFER FEE DETERMINED BY RESOLUTION OF COUNCIL.

**872.12 CITY CLERK APPROVAL OF LICENSE OR RENEWAL.**



PRIOR TO ISSUANCE OR RENEWAL OF ANY WRECKER LICENSE UNDER THIS CHAPTER, THE CITY CLERK SHALL APPROVE THE APPLICATION THEREFOR.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES

MARILYNN SLADE, CITY CLERK

COUNCILMEMBER ALLEN LEFT THIS MEETING OF THE LANSING CITY COUNCIL AT 8:45 P.M. AND WAS EXCUSED

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY RELATED MATTERS

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SAID THAT CITY BOARDS CAN BE VERY DISAPPOINTING. SHE SAID THAT IF THE CITIZENS REVIEW BOARD BALLOT ISSUE IS PASSED, THIS BOARD MUST BE TOTALLY INDEPENDENT OF MAYOR HOLLISTER AND OF THE MARCH FOR JUSTICE. SHE HOPES THE VOTERS WILL REALIZE THE ADDITIONAL PROBLEMS THESE KINDS OF BOARDS CAN CREATE. PEOPLE NEED TO BEGIN DISCIPLINING THEIR OWN CHILDREN RATHER THAN TRYING TO MAKE SOMEONE ELSE HURT BECAUSE THEIR CHILDREN ARE BEING PUNISHED FOR THEIR WRONG BEHAVIOR. SHE SUGGESTED THAT CITY COUNCILMEMBERS BE REQUIRED TO TAKE TRAINING CLASSES PRIOR TO TAKING OFFICE.

WILLY WILLIAMS OF 505 W. LENAWEE ASKED COUNCILMEMBER BEAL TO START REPRESENTING 70% OF THE CITIZENS RATHER THAN 30%. HE GAVE A RECITATION OF THE CRIMINAL HISTORY OF LLOYD TEETS AND STATED HIS PERSONAL GRATITUDE THAT MARILYNN SLADE IS CITY CLERK.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. SPOKE REGARDING THE RECOMMENDATIONS MADE BY THE MARCH FOR JUSTICE TO MAYOR HOLLISTER AND CITY COUNCIL IN JANUARY 1997. HE STATED THAT HE HAS NOT HEARD OF ANY ACTIONS THAT WERE TAKEN WITH REGARD TO THEIR RECOMMENDATIONS.

COUNCILMEMBER NOVAK URGED MR. BRODIE TO EXAMINE THE RESOLUTIONS THAT WERE PASSED BY CITY COUNCIL IN RESPONSE TO THE RECOMMENDATIONS OF THE MARCH FOR JUSTICE. ADDITIONALLY, HE SHOULD CHECK OUT THE BUDGET THEY PASSED THIS YEAR AND SEE HOW SOME OF THOSE RECOMMENDATIONS WERE DEALT WITH IN THAT RESPECT.

CONNIE DELANEY OF 3721 AURELIUS RD. SAID THAT SHE WAS BILLED OVER \$3,000 IN 1995 FOR A STORM WATER ENTERPRISE FUND FEE. THAT FEE WAS ADMINISTRATIVELY REDUCED BY THE PUBLIC SERVICE DEPARTMENT TO JUST OVER \$900.00. IN 1996 SHE WAS GIVEN A 30% CREDIT AND BILLED \$600.00 FOR HER STORM WATER ENTERPRISE FUND FEE, WHICH AMOUNT WAS REDUCED TO \$208.00 BY THE GENERAL SERVICES COMMITTEE. SHE ASKED FOR CLARIFICATION AS TO HOW MUCH SHE WILL BE BILLED IN THE FUTURE.

FRANK CURTIS "X" SPOKE REGARDING QUALIFICATIONS OF TEACHERS AND THE USE OF RACIAL SLURS THAT ARE USED AND HAVE BEEN USED THROUGHOUT HISTORY.

RON PREADMORE OF 4220 CHRISTIANSEN ASKED WHEN THE CHRISTIANSEN RD. INFRASTRUCTURE REPAIR COMMITTEE REPORT WILL BE TAKEN UP. HE STATED THAT HE GOT A LETTER FROM THE PUBLIC SERVICE DEPARTMENT REGARDING HIS STORM WATER ENTERPRISE FUND FEE APPEAL. THE INTENT OF THE LETTER WAS NOT CLEAR TO HIM. IS THIS A DENIAL? WILL HIS APPEAL STILL BE CONSIDERED IN THE NEXT STEP OF THE PROCESS WITHOUT FURTHER ACTION FROM HIM, OR IS HE REQUIRED TO FILE AN APPEAL OF HIS APPEAL?

REVEREND LESTER STONE, PASTOR OF THE FRIENDSHIP BAPTIST CHURCH THANKED THE 7,267 REGISTERED VOTERS OF LANSING WHO MADE IT POSSIBLE FOR THE QUESTION OF A CITIZENS REVIEW BOARD TO BE PLACED ON THE NOVEMBER 1997 ELECTION BALLOT. HE ENCOURAGED EVERYONE WHO SIGNED THE PETITIONS TO GET OUT TO THE POLLS AND VOTE FOR THE MEASURE. A YES VOTE FOR THE CREATION OF THIS BOARD IS A VOTE FOR THE PROTECTION OF ALL CITIZENS AND A VOTE FOR THE PROTECTION OF THE INTEGRITY OF THE LPD. THIS IS A VOTE FOR ACCOUNTABILITY IN THE POLICE DEPARTMENT. THIS BOARD WOULD RECEIVE, REVIEW AND INVESTIGATE CITIZENS COMPLAINTS OF POLICE MISCONDUCT. THE MARCH FOR JUSTICE IS ASKING FOR THE PRAYERS, FINANCIAL SUPPORT OF, AND YES VOTE BY THE REGISTERED VOTERS OF THE CITY OF LANSING ON NOVEMBER 4, 1997. FINANCIAL SUPPORT CAN BE SENT TO "THE COMMITTEE FOR A CITIZENS REVIEW BOARD" AT 3815 BERWICK DR., LANSING, MI 48937.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. DISPLAYED A COPY OF THE REPORT BY THE BOARD OF POLICE COMMISSIONERS WITH REGARD TO THE MELLING FORGE TEAR GAS INCIDENT. HE DESCRIBED THE REPORT AS THE BIGGEST WHITEWASH IN HISTORY. HE CHALLENGED THE RESIDENTS OF LANSING TO INFORM THEMSELVES ABOUT THE ISSUES SURROUNDING THE CITIZENS REVIEW BOARD BALLOT QUESTION.

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING SAID THAT HE SPEND SUNDAY AT THE CRISTO REY CHURCH ON S. WASHINGTON AVE. WHERE HE SAW A GREAT SPIRIT OF CHRISTIANITY. HE SPENT THAT EVENING AT CRISTO REY COMMUNITY CENTER. THIS WAS A NICE WAY TO SPEND THE DAY. THEY HAD GOOD FOOD, GOOD MUSIC AND GOOD PEOPLE. HE QUOTED EMILIO ZAPATA; "IT IS BETTER TO DIE ON YOUR FEET THAN TO LIVE ON YOUR KNEES". HE SAID THAT OUR ANCESTORS CAME HERE TO BE FREE AND INDEPENDENT. WE SHOULD REMAIN ALWAYS VIGILANT OF THAT. THE RIGHT TO VOTE IS INTEGRAL TO THAT CONCEPT. HE URGED PEOPLE TO VOTE, AND TO VOTE THEIR



CONSCIENCE. VOTE FOR THE FREEDOM OF OUR FOREFATHERS AND VOTE YES FOR THE CITIZENS REVIEW BOARD, BECAUSE IT IS THE RIGHT THING TO DO.

ED SIMMER OF 2609 DIER READ AN ARTICLE FROM THE EDITORIAL PAGE OF THE LANSING STATE JOURNAL, ABOUT COUNCILMEMBER LILLY. HE COMMENDED COUNCILMEMBER LILLY FOR HIS CITY COUNCIL CAREER AND STATED HIS SUPPORT FOR CANDIDATES FOR THE NOVEMBER 1997 ELECTION.

ALBERTA JORDAN, NO ADDRESS GIVEN, THANKED THE COMMUNITY FOR THE OVER 7,000 SIGNATURES COLLECTED TO PLACE THE CITIZENS REVIEW BOARD ISSUE ON THE NOVEMBER ELECTION BALLOT. SHE URGED ALL OF HER YOUNG PEOPLE TO REGISTER AND GET OUT AND VOTE ON NOVEMBER 4, 1997. SHE STATED THAT EVERYONE SHOULD FEEL THE PAIN IN MR. BOZEK'S HEART.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT EVERYONE SHOULD HAVE BEEN IN COURT LAST THURSDAY AND WITNESSED WHAT HAPPENED IN JUDGE STELL'S COURTROOM. THIS CALLS FOR ANOTHER CHARTER AMENDMENT.

### COMMITTEE REPORTS

#### RESOLUTION #509 REPORT OF COMMITTEE

THE GENERAL SERVICES COMMITTEE

TO WHOM WAS REFERRED THE ISSUE ORDINANCE AMENDMENTS FOR ROUTINE LICENSES.

REPORTS AS FOLLOWS: THE COMMITTEE HAS REVIEWED THE PROPOSED ORDINANCE AMENDMENTS FOR ROUTINE LICENSES AND RECOMMENDS THAT THE ORDINANCES FOR ALL ROUTINE LICENSES EXCEPT PEDDLER LICENCES BE AMENDED TO EXPEDITE THE PROCESS BY WHICH THEY ARE ISSUED.

SIGNED: TONY BENAVIDES  
PAUL NOVAK  
JOAN BAUER

GENERAL SERVICES COMMITTEE

BY COUNCILMEMBER BENAVIDES

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY, COUNCILMEMBER ALLEN ABSENT AND EXCUSED

#### RESOLUTION #510 REPORT OF COMMITTEE

THE GENERAL SERVICES COMMITTEE

TO WHOM WAS REFERRED THE APPLICATIONS FOR LIQUOR LICENSES, MET WITH THE ADMINISTRATION AND THE CITY CLERK REGARDING THE PENDING APPLICATIONS FOR THE TWO ON PREMISE LIQUOR LICENSES CURRENTLY AVAILABLE.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS

THAT THE ADMINISTRATION DEVELOP BY THE NEXT COMMITTEE MEETING ITS RECOMMENDATIONS REGARDING THE PENDING APPLICATIONS, THE ADVISABILITY OF CONTINUING TO "BANK" ONE LIQUOR LICENSE FOR A FUTURE MAJOR DEVELOPMENT, AND REQUIRING A REVERSIONARY CLAUSE BE STIPULATED TO IN ANY FUTURE APPLICATION APPROVAL.

SIGNED: TONY BENAVIDES  
PAUL NOVAK  
JOAN BAUER

GENERAL SERVICES COMMITTEE

BY COUNCILMEMBER BENAVIDES

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY, COUNCILMEMBER ALLEN ABSENT AND EXCUSED

#### THE MOTION FOR PASSAGE OF THIS COMMITTEE REPORT FAILED WITH FOUR MEMBERS VOTING YEA, ONE MEMBER VOTING NAY, AND THREE MEMBERS ABSENT REPORT OF COMMITTEE

THE PUBLIC SAFETY COMMITTEE

TO WHOM WAS REFERRED THE MAYOR'S REPORT ON A LETTER FROM RENEIRO ARAOZ, PRINCIPAL OF EASTERN HIGH SCHOOL, REQUESTING TO ADD A LEFT TURN PHASE TO THE TRAFFIC SIGNAL FOR SOUTHBOUND PENNSYLVANIA AVENUE AT THE INTERSECTION OF SHIAWASSEE STREET.

THE TRANSPORTATION DIVISION, TRAFFIC BOARD AND MAYOR RECOMMEND THAT THE REQUEST TO ADD A LEFT TURN ARROW TO THE TRAFFIC SIGNAL, FOR SOUTHBOUND PENNSYLVANIA AVENUE AT THE INTERSECTION OF SHIAWASSEE STREET BE DENIED.

FURTHERMORE, THE TRANSPORTATION DIVISION, TRAFFIC BOARD AND MAYOR RECOMMEND THAT INSTALLATION OF LANE USE SIGNS AND PAVEMENT MARKINGS ON THE SCHOOL DRIVE APPROACH, AND THAT BAR TYPE CROSSWALKS BE PAINTED ON ALL FOUR LEGS OF THE INTERSECTION TO DESIGNATE PEDESTRIAN CROSSING AREAS.

REPORTS AS FOLLOWS: THE COMMITTEE HAS REVIEWED THE REPORT FROM THE ADMINISTRATION AND CONCURS THAT THE REQUEST TO ADD A LEFT TURN PHASE TO THE TRAFFIC SIGNAL FOR SOUTHBOUND PENNSYLVANIA AVENUE AT THE INTERSECTION OF SHIAWASSEE STREET BE DENIED, THAT LANE USE SIGNS AND PAVEMENT MARKING BE INSTALLED ON THE SCHOOL DRIVE APPROACH, AND THAT BAR TYPE CROSSWALKS BE PAINTED ON ALL FOUR LEGS OF THE INTERSECTION TO DESIGNATE PEDESTRIAN CROSSING AREAS.

SIGNED: SANDY ALLEN  
TONY BENAVIDES  
PAUL NOVAK

PUBLIC SAFETY COMMITTEE

BY COUNCILMEMBER BENAVIDES



THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

MOTION FOR ADOPTION OF COMMITTEE REPORT FAILED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BEAL, BENAVIDES, JONES, NOVAK

NAYS: COUNCILMEMBER LEEMAN

ABSENT: COUNCILMEMBERS ALLEN, BAUER, LILLY

**RESOLUTION #511**  
**REPORT OF COMMITTEE**

THE PUBLIC SERVICES COMMITTEE

TO WHOM WAS REFERRED THE ISSUE ON BANCROFT PARK ICE RINK, MET WITH THE ADMINISTRATION REGARDING AN UPDATE ON THE STATUS OF THE ICE RINK.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE PARKS BOARD ESTABLISH A NATURAL ICE RINK FOR THIS WINTER AND THAT THE PARKS BOARD DEVELOP A COMPREHENSIVE PLAN TO INTEGRATE YEAR ROUND OUTDOOR ACTIVITY AT BANCROFT PARK, GROESBECK GOLF COURSE, PORTER PARK, AND THE BOARD OF WATER AND LIGHT FLY ASH PIT ON LAKE LANSING ROAD WITH THE INGHAM COUNTY DRAIN COMMISSION.

SIGNED: HAROLD LEEMAN, JR.  
HOWARD JONES  
RICK LILLY

PUBLIC SERVICES COMMITTEE

BY COUNCILMEMBER LEEMAN, JR.

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY, COUNCILMEMBER ALLEN ABSENT AND EXCUSED

**RESOLUTION #512**  
**REPORT OF COMMITTEE**

THE PUBLIC SERVICES COMMITTEE

TO WHOM WAS REFERRED THE PETITIONS FROM CONCERNED FOR THE SAFETY OF CHILDREN PLAYING, WALKING, AND RIDING THEIR BIKES ON THE SIDEWALK NEAR THE DANGEROUS CURVE ON 4308 CHRISTIANSON ROAD.

THE TRANSPORTATION DIVISION, TRAFFIC BOARD AND MAYOR RECOMMEND THE INSTALLATION OF A RAISED SIDEWALK, ADDITIONAL SIGNAGE, AND A SHIFT IN THE ROADWAY TO DIMINISH THE DANGEROUS CURVE AT 4308 CHRISTIANSON ROAD.

REPORTS AS FOLLOWS: THE COMMITTEE HAS REVIEWED THE REPORT FROM THE TRANSPORTATION DIVISION AND CONCURS WITH THE PROPOSAL TO RAISE SIDEWALK, PROVIDE ADDITIONAL SIGNAGE, AND SHIFT THE ROADWAY TO DIMINISH THE DANGEROUS CURVE AT 4308 CHRISTIANSON ROAD.

THE COMMITTEE ALSO REQUESTS THE TRANSPORTATION DIVISION REVIEW THESE PROPOSED CHANGES TO THE NEARBY PROPERTY OWNERS.

SIGNED: HAROLD LEEMAN, JR.  
HOWARD JONES  
RICK LILLY

PUBLIC SERVICES COMMITTEE

BY COUNCILMEMBER LEEMAN, JR.

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY, COUNCILMEMBER ALLEN ABSENT AND EXCUSED

**CITY OFFICER & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTER FROM THE CITY ATTORNEY RE:

A. THE COUNTRY CLUB OF LANSING V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. "FIRST AMENDMENT GROUP" V CITY OF LANSING

RECEIVED AND PLACED ON FILE

3. LETTER OF RESIGNATION FROM GILBERT A. WILLIAMS, PH.D. FROM THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

RECEIVED AND PLACED ON FILE

4. LETTERS FROM THE MAYOR RE:

A. LETTER OF RESIGNATION FROM JOHN E. PAGE FROM THE BOARD OF ZONING APPEALS

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

B. LETTER OF RESIGNATION FROM CHARLES GREEN FROM THE BOARD OF FIRE COMMISSIONERS

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

C. LETTER OF RESIGNATION FROM CYRIL A. MCGUIRE FROM THE BOARD OF FIRE COMMISSIONERS

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

D. APPOINTMENT OF JOANNE WITTE TO THE FIRE BOARD TO COMPLETE THE TERM VACATED BY CHARLES GREEN JR., TERM TO EXPIRE JUNE 30, 1999

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY



E. APPOINTMENT OF GREGORY WEATHERSPOON TO THE FIRE BOARD TO COMPLETE THE TERM VACATED BY CYRIL A. MCGUIRE, TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. APPOINTMENT OF VICTORIA SCHADE EARHART TO THE BOARD OF ZONING APPEALS TO COMPLETE THE TERM VACATED BY JOHN E. PAGE, TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

G. CAPITAL NEEDS; OLDSMOBILE PARK BASEBALL STADIUM

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

H. ACT-07-97; 400 BLOCK S. GRAND AVE., CATA GROUND TRANSPORTATION CENTER

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

I. ACT-11-97; 1300 BLOCK TURNER ST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

J. LETTER OF APPRECIATION FROM LOUIS J. GLAZER, MICHIGAN FUTURE, INC. TO DENNIS SYKES

RECEIVED AND PLACED ON FILE

K. NOTICE FROM THE ARTS COUNCIL OF GREATER LANSING OF 1998 MINI GRANT RECIPIENTS

RECEIVED AND PLACED ON FILE

L. LETTER OF APPRECIATION FROM OLIVIA LETTS TO SANDRA DRAGOO, DIRECTOR OF CATA

RECEIVED AND PLACED ON FILE

M. LETTERS OF APPRECIATION REGARDING THE OLDSMOBILE CENTENNIAL CELEBRATION FROM: DARWIN E. CLARK, AVERY H. GREENE, ARTHUR J. SCHRADER, NATIONAL ANTIQUE OLDSMOBILE CLUB, MR. & MRS. BILL AMES

RECEIVED AND PLACED ON FILE

N. TRANSFER OF FUNDS; LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

O. CLARA'S RESTAURANT DEVELOPMENT PROJECT

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

# COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. Z-21-97; 5030 S. CEDAR PETITION FOR REZONING FROM "J" PARKING TO "F" COMMERCIAL SALES FILED BY SEMMLER CORPORATION TO ALLOW FOR DEVELOPMENT OF A RITE AID PHARMACY

REFERRED TO THE MAYOR AND THE PLANNING BOARD

2. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION SUBMITTING MDOT CONTRACT #97-5264 FOR CURB & GUTTER AND SIDEWALK REPAIR ON KALAMAZOO ST.

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

3. LETTER FROM THE STATE OF MICHIGAN TAX TRIBUNAL SUBMITTING NOTICE OF A COUNSEL CONFERENCE WITH DIANE LEE PRINCIPAL APPRAISER FOR THE CITY OF LANSING REGARDING THE TRUE VALUE FOR AMERITECH MOBILE SERVICE, INC. 811 N. WASHINGTON AVE.

REFERRED TO THE CITY ATTORNEY

4. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF APPLICATION FOR A PERMIT FOR CONSTRUCTION IN THE FLOODPLAIN OF THE RED CEDAR RIVER FILED BY LANSING RETAIL CENTER JOINT VENTURE FOR FRANDORSON PROPERTIES

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

5. APPLICATION FOR NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE FILED BY HABITAT FOR HUMANITY OF LANSING AT 1239 LATHROPE

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

6. LETTERS IN SUPPORT OF THE PERMANENT APPOINTMENT OF ACTING CHIEF OF POLICE, PAUL TESZLEWICZ, TO THE CHIEF OF POLICE POSITION FROM:

-BARBARA R. KLOPFENSTEIN 400 W. NORTHRUP

-PAUL R. KLOPFENSTEIN 400 W. NORTHRUP

RECEIVED AND PLACED ON FILE

7. LETTER FROM THE EATON COUNTY CONTROLLER, JAMES A. STEWART, SUBMITTING NOTICE OF INTENT TO PREPARE A SOLID WASTE MANAGEMENT PLAN UPDATE FOR EATON COUNTY

RECEIVED AND PLACED ON FILE

8. LETTERS FROM CHRISTINE TIMMON OF 335 E. ST.



JOSEPH RE:

- HISTORIC DISTRICT STUDY COMMISSION APPOINTEES
- HISTORIC DISTRICTS
- CITIZENS REVIEW BOARD
- DEBBIE STABENOW AND THE CSO

RECEIVED AND PLACED ON FILE

9. WAVERLY COMMUNITY 1997 TAX RATE REQUEST AND MILLAGE REQUEST REPORT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10. REQUEST FROM HOLT & MASON TOWING (TBM, INC.) FOR INCLUSION IN THE CITY OF LANSING ROTATION LIST FOR WRECKER SERVICES USED BY THE LANSING POLICE DEPARTMENT

REFERRED TO THE MAYOR

11. POSTCARD FROM JEAN DALTON OF 1801 KINGSWOOD DR. PROTESTING THE CLOSING OF JEROME ST.

RECEIVED AND PLACED ON FILE

12. SUSPENSION ITEM FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS FOR THE OLD TOWN FESTIVAL TO BE HELD OCTOBER 10, 11, AND 12, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

13. SUSPENSION ITEM FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR A TEMPORARY LIQUOR LICENSE FROM THE ITALIAN AMERICAN CLUB FOR OCTOBER 18, 1997

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

14. SUSPENSION ITEM FROM COUNCILMEMBER NOVAK; A SUBSTITUTE RESOLUTION FOR THE RESOLUTION DEALING WITH THE DISPOSITION OF PROCEEDS FROM THE SALE OF PROPERTY BY THE BOARD OF WATER & LIGHT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

15. SUSPENSION ITEM FROM COUNCILMEMBER JONES; A REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS IN THE AMOUNT OF \$250 FOR A PRESENTATION TO LOCAL HIGH SCHOOLS REGARDING HISPANIC HERITAGE MONTH

REFERRED TO THE COMMITTEE ON GENERAL SERVICES (WAYS AND MEANS TO CONSIDER IN ORDER TO EXPEDITE REQUEST)

# **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER NOVAK

TO EXCUSE COUNCILMEMBER LILLY FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

## **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER LEEMAN THANKED THE GREATER LANSING CONVENTION AND VISITORS BUREAU FOR THE LIGHT THE CITY EVENT FUND RAISER. HE CONGRATULATED THE ORGANIZERS OF THE GREEK FESTIVAL ON THE SUCCESS OF THEIR EVENT LAST WEEKEND. HE THANKED COUNCILMEMBER BENAVIDES AND CRISTO REY FOR THE FIESTA THEY HELD ON SUNDAY.

COUNCILMEMBER JONES ANNOUNCED A CHILI-COOK OFF AT BONNIE'S.

COUNCILMEMBER BEAL COMMENDED ROSA KILLIPS THE ORGANIZER OF THE FIESTA AT CRISTO REY. SHE ANNOUNCED A COMMITTEE OF THE WHOLE MEETING THIS THURSDAY AT 4:00 P.M. WHERE THEY WILL HAVE AN OPINION ON THE RAVENWOOD SUBDIVISION ISSUE.

## **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER THANKED THE CONVENTION AND VISITORS BUREAU FOR THE PIG OUT AT THE PLAZA FUND RAISER FOR THE LIGHT THE CITY EVENT. THEY GROSSED \$20,000, WITH 650 PEOPLE IN ATTENDANCE. PEOPLE INTERESTED IN FURTHER SPONSORSHIPS CAN CALL MARY BLOOD AT 377-1401. THERE WILL BE A CORRESPONDING LIGHT THE NEIGHBORHOOD EVENT THIS YEAR. INTERESTED PARTIES CAN CALL JANET FOEHRENBACH AT 487-3322. ADDITIONAL INFORMATION ABOUT THIS EVENT WILL BE AVAILABLE IN OCTOBER.

**ADJOURNED 9:45 P.M.**

**MARILYNN SLADE, CITY CLERK**





LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF SEPTEMBER 22, 1997**

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CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY

ABSENT: COUNCILMEMBER NOVAK

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF SEPTEMBER 8, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER ALLEN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER ALLEN; A LETTER FROM MARSHALL CLARK OF 915 S. DEXTER ST. REQUESTING THE INSTALLATION OF ADDITIONAL STOP SIGNS ON DEXTER DR.

2. FROM COUNCILMEMBER JONES; A RESOLUTION FOR TRANSFER OF FUNDS FOR THE LANSING POLICE DEPARTMENT DOMESTIC VIOLENCE PREVENTION PROGRAM

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES SAID THAT HE IS TIRED OF GETTING MIXED MESSAGES FROM GENERAL MOTORS AS TO WHETHER THEY WILL CONTINUE THEIR LANSING OPERATIONS. HE

SUGGESTED THAT PRESIDENT BEAL SEND THEM A LETTER REQUESTING A MEETING TO DISCUSS WHAT GENERAL MOTORS FEELS THE CITY NEEDS TO DO TO ACCOMMODATE THEIR LANSING PLANTS SO THAT THEY REMAIN IN LANSING AND PRESERVE JOBS FOR OUR RESIDENTS.

COUNCILMEMBER BAUER AGREED THAT EVERYONE IS GREATLY CONCERNED ABOUT OLDSMOBILE AND THEIR FUTURE WITH US. SHE ANNOUNCED THAT PEOPLE CAN INTER-ACT WITH OLDSMOBILE AND LET THEM KNOW HOW IMPORTANT THEY ARE TO US BY FILLING OUT THE FLIER IN THIS SUNDAY'S STATE JOURNAL AND SENDING IT IN TO THEM. THE ARTICLE THAT ACCOMPANIES THE FLIER LISTS LOCATIONS THAT LETTERS AND NOTES CAN BE MAILED TO. OLDSMOBILE IS HOPEFUL THAT THEY WILL BE TAKING BAGS AND BAGS OF THESE SURVEY RESULTS TO THEIR CORPORATE HEADQUARTERS FOR THEIR MEETINGS IN OCTOBER.

COUNCILMEMBER ALLEN SAID THAT SHE SUGGESTED TO PRESIDENT BEAL LAST WEEK THAT SHE WRITE TO GENERAL MOTORS, AND THAT CITY COUNCIL APPROACH THEM TO FIND OUT WHAT THEY (CITY COUNCIL) CAN DO TO HELP KEEP GENERAL MOTORS PLANTS IN LANSING. SHE REPORTED HAVING RECEIVED SEVERAL PHONE CALLS FROM RESIDENTS AROUND EVERETT HIGH SCHOOL COMPLAINING THAT VISITORS AT THE FOOTBALL GAMES ARE PARKING IN THEIR NEIGHBORHOODS, AND THIS IS ILLEGAL. SHE ASKED THE ADMINISTRATION TO CHECK INTO THE SITUATION TO SEE WHAT CAN BE DONE TO STOP THE ENCROACHMENT INTO THE RESIDENTIAL NEIGHBORHOODS.

LIZA ESTLUND OLSON, MAYOR HOLLISTER'S CHIEF OF STAFF, ANNOUNCED A SITUATION IN THE KIPLING BLVD. AREA, IN WHICH AN INDIVIDUAL, NAMED BRIAN A. TANIS, IS DISTRIBUTING FLIERS AND LEAFLETS TELLING PEOPLE THAT THEY MUST HAVE THEIR HOUSE NUMBERS DISPLAYED AND ILLUMINATED AT THE CURB. MAYOR HOLLISTER WOULD LIKE THE PUBLIC TO KNOW THAT THIS IS NOT A REQUIREMENT OF THE CITY OF LANSING.

► SPECIAL CEREMONIES

A. COUNCILMEMBER ALLEN INTRODUCED LPD OFFICER ELIZABETH BONNELLO, WHO EXPLAINED THE AFFECTS OF TRUANCY ON STUDENTS AND THE WORK FORCE. SHE OUTLINED THE TRUANCY PROGRAM BEING OPERATED IN LANSING, AND "OPERATION SWEEP", IN WHICH THE LPD WILL CONCENTRATE THEIR EFFORTS ON PICKING UP TRUANTS ON UNDISCLOSED DAYS. THIS OPERATION WILL INVOLVE ASSESSMENT OF EACH STUDENT WHO IS PICKED UP, AND WILL INCLUDE CONTACTING THE PARENTS, WHO WILL BE ASKED TO



COME DOWN AND MEET WITH THE STUDENTS TEACHER AND THE SCHOOL TO DETERMINE IF THEY HAVE OTHER NEEDS THAT THE CITY CAN HELP THEM MEET. THERE ARE SERVICES AND REFERRALS AVAILABLE FOR THESE KIDS TO GO THROUGH. THEY WILL ALSO, EVENTUALLY, GO THROUGH A PUNISHMENT PHASE. ONE OPTION ALLOWS A PARENT OR OTHER RESPONSIBLE ADULT TO FOLLOW THE KID TO SCHOOL AND THROUGH THEIR CLASS SCHEDULE FOR A DAY, PLUS 5 HOURS OF COMMUNITY SERVICE. CITATIONS WILL BE ISSUED TO STUDENTS WHO ARE NOT ABLE TO SUCCESSFULLY COMPLETE THIS PROCESS. THE PROGRAM BEGINS THIS WEEK, WITH THE FIRST CITY-WIDE "SWEEP".

B. COUNCILMEMBER JONES READ THE RESOLUTION OF TRIBUTE TO MABEL & EDGAR PIERCE.

C. COUNCILMEMBER BENAVIDES ANNOUNCED THAT THE RESOLUTION OF TRIBUTE TO FORMER CHIEF OF POLICE, JEROME G. BOLES, II WAS PRESENTED TO HIM LAST WEEK. HE WISHED CHIEF BOLES AND FAMILY WELL IN HIS RETIREMENT.

#### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

##### **► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:**

THERE WERE NO SCHEDULED PUBLIC HEARINGS

##### **► PUBLIC COMMENT ON LEGISLATIVE MATTERS:**

LLOYD TEETS OF 116 E. ELM ST. INSTRUCTED COUNCIL TO MAKE SURE THAT THE MAJORITY OF MEMBERS ON THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY ARE LANSING RESIDENTS. HE STATED HIS DISAGREEMENT WITH THE REAPPOINTMENT OF DAVID O'LEARY TO THE BOARD OF WATER & LIGHT. HE DOES NOT FEEL THAT THE CURRENT BOARD IS DOING THEIR JOB IN THE HANDLING OF BILL DISPUTES. THIS IS PART OF THEIR CHARGE, ADDRESSED BY THE CITY CHARTER. HE DETAILED A SITUATION INVOLVING A BILL DISPUTE THAT HE WENT THROUGH WITH THE BOARD OF WATER & LIGHT. HE FOLLOWED THE PROCESS FOR HEARINGS AND LOST. HE APPEALED THE DECISION TO THE BOARD OF COMMISSIONERS OF THE BOARD OF WATER & LIGHT WHO ALSO FAILED TO RULE IN HIS FAVOR. ULTIMATELY, THIS DISPUTE WOUND UP IN DISTRICT COURT.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SAID THAT HE HAD A GOOD WORKING RELATIONSHIP WITH CHIEF OF POLICE, JEROME BOLES II. PRIOR TO THE EMERGENCE OF THE MARCH FOR JUSTICE MOVEMENT, AND AFTER IT WAS MANIFEST, THEY WERE ABLE TO MAINTAIN A PRACTICAL WORKING SITUATION. HE WISHED CHIEF BOLES AND HIS FAMILY SUCCESS IN THEIR FUTURE. HE THANKED HIM FOR THE RAPPORT AND PERSONAL ATTENTION THAT WAS GIVEN TO HIM EVERY TIME HE HAD OCCASION TO CALL ON THE CHIEF.

#### **LEGISLATIVE MATTERS RESOLUTIONS**

##### **RESOLUTION #513**

BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED CYRIL MCGUIRE OF 401 S. VERLINDEN TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 2000; AND

WHEREAS, THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF CYRIL MCGUIRE TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 2000.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

##### **RESOLUTION #514**

BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED DON RISTOW, 610 W. OTTAWA, TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 1998; AND

WHEREAS, THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF DON RISTOW TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

##### **RESOLUTION #515**

BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING



WHEREAS, THE MAYOR HAS APPOINTED CHARLOTTE S. SINADINOS, 1003 DARLINGTON AVENUE IN EAST LANSING TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 2000; AND

WHEREAS, THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF CHARLOTTE S. SINADINOS TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 2000.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

**RESOLUTION #516**  
BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED CHARLES JANSSEN, 1805 MOORES RIVER DRIVE TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 2000; AND

WHEREAS, THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF CHARLES JANSSEN TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR A TERM TO EXPIRE JUNE 30, 2000.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

**RESOLUTION #517**  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED GREGORY WEATHERSPOON, 2701 NORWICH ROAD IN LANSING TO THE FIRE BOARD OF COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 1998; AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF GREGORY WEATHERSPOON TO THE FIRE BOARD OF COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #518**  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION HAS RECEIVED TWO PETITIONS REGARDING THE PARKING REGULATIONS IN THE 1700 AND 1800 BLOCKS OF INVERNESS AVENUE. THE FIRST PETITION REQUESTS THAT THE EXISTING NO PARKING REGULATION BE REMOVED, ON THE NORTH SIDE OF INVERNESS AVENUE, AND THAT PARKING BE LIMITED TO TWO (2) HOURS BETWEEN THE HOURS OF 6:00 AM AND 2:00 AM. THE SECOND PETITION REQUESTS THAT THE EXISTING NO PARKING REGULATIONS ON BOTH SIDES OF INVERNESS AVENUE REMAIN IN PLACE.

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF STUDIED THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, ON NOVEMBER 26, 1996, THE TRANSPORTATION DIVISION STAFF MAILED SURVEYS TO RESIDENTS AND PROPERTY OWNERS IN THE 1700 AND 1800 BLOCKS OF INVERNESS AVENUE TO SEEK INDIVIDUAL RESPONSES TO THIS MATTER;

WHEREAS, SIX (6) OUT OF THE EIGHT (8) OCCUPIED HOUSEHOLDS RETURNED THE SURVEY TO THE TRANSPORTATION DIVISION. OF THE SIX (6) SURVEYS RETURNED, FIVE (5) INDICATED SUPPORT OF THE TWO (2) HOUR PARKING LIMIT BETWEEN THE HOURS OF 6:00 AM AND 2:00 AM, ON THE NORTH SIDE OF INVERNESS AVENUE BETWEEN FORBES STREET AND VERLINDEN AVENUE. ONE (1) RETURNED SURVEY SUPPORTED MAINTAINING THE EXISTING NO PARKING REGULATIONS ON INVERNESS AVENUE IN THIS AREA;

WHEREAS, ON FEBRUARY 12, 1997, THE TRANSPORTATION DIVISION ENACTED A TEMPORARY TRAFFIC CONTROL ORDER (TCO) AND INSTALLED SIGNS INDICATING THAT PARKING IS LIMITED TO TWO (2) HOURS BETWEEN THE HOURS OF 6:00 AM AND 2:00 AM, ON THE NORTH SIDE OF INVERNESS AVENUE BETWEEN FORBES STREET AND VERLINDEN AVENUE;

WHEREAS, THE TRANSPORTATION DIVISION HAS NOT RECEIVED ANY NEGATIVE FEEDBACK REGARDING THE TEMPORARY PARKING REGULATION;



WHEREAS, BASED UPON THE TRANSPORTATION DIVISION STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATION OF THE TRANSPORTATION DIVISION TO MAKE PERMANENT THE TEMPORARY PARKING REGULATIONS LIMITING PARKING TO TWO (2) HOURS BETWEEN THE HOURS OF 6:00 AM AND 2:00 AM, ON THE NORTH SIDE OF INVERNESS AVENUE BETWEEN FORBES STREET AND VERLINDEN AVENUE;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD:

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NO. 97-022 THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO LIMIT PARKING ON THE NORTH SIDE OF INVERNESS AVENUE TO TWO (2) HOURS BETWEEN THE HOURS OF 6:00 AM AND 2:00 AM, FROM FORBES STREET TO VERLINDEN AVENUE;

BE IT FURTHER RESOLVED, THAT THE EXISTING PARKING REGULATIONS ARE DOCUMENTED ON THE TRAFFIC CONTROL ORDER NO. 97-022 SUPPORTING THE HISTORICAL PARKING REGULATION WHICH PROHIBITS PARKING ON THE SOUTH SIDE OF INVERNESS AVENUE BETWEEN VERLINDEN AVENUE AND FORBES STREET;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NO. 97-022 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER AND FILED WITH THE CITY CLERK.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #519**  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE TRANSPORTATION DIVISION RECEIVED A REQUEST FROM CAPITAL AREA TRANSPORTATION AUTHORITY (CATA) TO CHANGE THE PARKING REGULATIONS IN THE VICINITY OF THE NEW GROUND TRANSPORTATION CENTER (GTC) LOCATED ON GRAND AVENUE BETWEEN LENAWEE STREET AND KALAMAZOO STREET; CATA MADE THIS REQUEST TO FACILITATE THE INGRESS OF BUSES INTO THE GTC FROM LENAWEE STREET, THE EGRESS OF BUSES ONTO

KALAMAZOO STREET, AND TO DESIGNATE A PICKUP/DROP OFF ZONE ON GRAND AVENUE;

WHEREAS, THE REQUEST WAS REFERRED TO THE TRAFFIC BOARD;

WHEREAS, THE TRANSPORTATION DIVISION STAFF CONDUCTED A STUDY OF THE PROPOSED GTC SITE IN REGARDS TO THE ROADWAY CONDITIONS AND PARKING ACTIVITIES;

WHEREAS, BASED UPON THE TRANSPORTATION DIVISION'S STUDY, THE TRAFFIC BOARD CONCURS WITH THE RECOMMENDATIONS OF THE TRANSPORTATION DIVISION: 1) THAT THE EXISTING NINETY (90) MINUTE PARKING METER ZONE ON THE SOUTH SIDE OF KALAMAZOO STREET BETWEEN WASHINGTON AVENUE AND GRAND AVENUE BE REMOVED AND THAT STOPPING, STANDING, OR PARKING BE PROHIBITED; 2) THAT THE TWO (2) HOUR PARKING METER ZONE ON THE NORTH SIDE OF LENAWEE STREET FROM GRAND AVENUE TO 200 FEET WEST OF GRAND AVENUE BE REMOVED AND STOPPING, STANDING, AND PARKING BE PROHIBITED; 3) THAT THE EXISTING TWO (2) HOUR PARKING METER ZONE ON THE WEST SIDE OF GRAND AVENUE FROM LENAWEE STREET 215 FEET NORTH OF LENAWEE STREET BE CHANGED TO A THIRTY (30) MINUTE PARKING METER ZONE, AND THAT STOPPING, STANDING, AND PARKING BE PROHIBITED ON THE WEST SIDE OF GRAND AVENUE FROM 215 FEET NORTH OF LENAWEE STREET TO KALAMAZOO STREET;

WHEREAS, THE APPROVED MINUTES FOR THE TRAFFIC BOARD CONTAINING THE TRAFFIC BOARD'S RECOMMENDATION FOR THIS MATTER ARE ON FILE WITH THE CITY CLERK'S OFFICE;

WHEREAS, THE MAYOR CONCURS WITH THE RECOMMENDATION OF THE TRAFFIC BOARD;

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY REVIEWED THE REPORT AND REQUESTED THAT PARKING ACCOMMODATIONS BE MADE FOR THE BUSINESSES ON KALAMAZOO STREET;

WHEREAS, THE TRANSPORTATION ENGINEER HAS PROVIDED A MODIFIED PLAN THAT WILL REPLACE THE LOST METERED PARKING ON KALAMAZOO STREET AND HAS PRESENTED IT TO THE PUBLIC SAFETY COMMITTEE;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL APPROVES TRAFFIC CONTROL ORDER NUMBERS 97-023, 97-024, AND 97-025, THEREBY AUTHORIZING THE TRANSPORTATION ENGINEER TO INSTALL THIRTY (30) MINUTE METERED PARKING ON THE SOUTH SIDE OF KALAMAZOO STREET FROM 80 FEET EAST OF WASHINGTON AVENUE TO 160 FEET EAST OF WASHINGTON AVENUE; AND TO PROHIBIT STOPPING, STANDING, AND PARKING FROM 160 FEET EAST OF WASHINGTON AVENUE TO



GRAND AVENUE; AND PROHIBIT STOPPING, STANDING, AND PARKING ON THE NORTH SIDE OF LENAWEE STREET FROM GRAND AVENUE TO 200 FEET WEST OF GRAND AVENUE; AND TO LIMIT PARKING TO THIRTY (30) MINUTES IN THE PARKING METER ZONE ON THE WEST SIDE OF GRAND AVENUE FROM LENAWEE STREET TO 215 FEET NORTH OF LENAWEE STREET; AND TO PROHIBIT STOPPING, STANDING, AND PARKING;

BE IT FURTHER RESOLVED THAT THE EXISTING PARKING REGULATIONS ARE DOCUMENTED ON TRAFFIC CONTROL ORDER NUMBERS 97-023, 97-024, AND 97-025, SUPPORTING THE HISTORIC PARKING REGULATIONS FOR THE RESPECTIVE LOCATIONS;

BE IT FINALLY RESOLVED THAT TRAFFIC CONTROL ORDER NUMBERS 97-023, 97-024, AND 97-025 SHALL BECOME EFFECTIVE WHEN SIGNED BY THE TRANSPORTATION ENGINEER, FILED WITH THE CITY CLERK, AND THE APPROPRIATE SIGNS ARE ERECTED.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #520**  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 98 TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$100	EST REV-GEN FUND 101-0-170001-0	POLICE DEPT. - CONTROL 101-343201-992200-0
\$100	POLICE DEPT. -CONTROL 101-343201-992200-0	DONATIONS-DARE 101-343201-741879-0

(DONATION TO DARE PROGRAM IN MEMORY OF MARTY SMITH. REVENUE DETAIL ACCOUNT 101-0-6750100.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,000	EST REV-GEN FUND 101-0-170001-0	POLICE DEPT. -CONTROL 101-343201-992200-0
\$1,000	POLICE DEPT. -CONTROL 101-343201-992200-0	DONATIONS-C.U.T.T 101-343201-741875-0

(DONATION FOR C.U.T.T. (CITIZENS UNITED TO TRACK TRUANTS). REVENUE DETAIL ACCOUNT 101-0-675387-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$185,380	GEN ADMIN -GEN CONTIN/ 101-173901-992001-0	OPER TRANS-INFRASTRUCTURE 101-966000-991410-0
\$185,380	EST REV-INFRASTRUCTURE 410-0-170001-0	DETENTION REMODELING 410-933690-975000-43833

(DETENTION CENTER VIDEO SYSTEM INSTALLATION, PER BID. INCLUDES ESTIMATE OF WIRING AND ASSOCIATED BUILDING MAINTENANCE COSTS. REVENUE DETAIL ACCOUNT 410-0-696101-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$12,797	FUND BAL-STADIUM FUND 234-0-390001-0	STADIUM IMPROVEMENTS 234-933992-970000-43 804

(INSTALLATION OF IRRIGATION SYSTEM FOR LAWN AREAS AND SHRUBBERY IN FRONT OF OLDSMOBILE PARK. TRANSFER UTILIZES PORTION OF FUND BALANCE SET ASIDE AS CAPITAL RESERVE FOR MAINTENANCE OF STADIUM FACILITY.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #521**  
BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MABEL AND EDGAR PIERCE WERE MARRIED AT THE MONROE METHODIST CHURCH ON SEPTEMBER TH, 1922

WHEREAS, FORTY-FIVE YEAR NEWTON STREET RESIDENTS EDGAR AND MABEL PIERCE CELEBRATED THEIR 75TH WEDDING ANNIVERSARY ON SEPTEMBER 8, 1997; AND

WHEREAS, THIS DYNAMIC COUPLE, WHO STILL ENJOYS INDEPENDENT LIVING, RAISED FOUR BOYS - EDGAR, JR., ROBERT, MICHAEL, AND CARL; THE GRANDPARENTS OF NINE, AND THE GREAT-GRANDPARENTS OF 6; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES AND COMMENDS EDGAR AND MABEL PIERCE ON THE OCCASION OF THEIR 75TH WEDDING ANNIVERSARY, FOR THEIR EXEMPLARY LIFE AND OUTSTANDING SERVICE TO THEIR CHURCH AND COMMUNITY.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY



**RESOLUTION #522**  
**BY THE COMMITTEE OF THE WHOLE**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, THE MAYOR HAS REAPPOINTED DAVID O'LEARY, 1925 MOORES RIVER DR. TO AN AT-LARGE POSITION ON THE BOARD OF COMMISSIONERS OF THE BOARD OF WATER AND LIGHT FOR A TERM TO EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE OF THE WHOLE HAS RECOMMENDED CONFIRMATION OF THIS REAPPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S REAPPOINTMENT OF DAVID O'LEARY TO AN AT-LARGE POSITION ON THE BOARD OF COMMISSIONERS OF THE BOARD OF WATER AND LIGHT FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #523**  
**BY COUNCILMEMBER BENAVIDES**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, ON JULY 25TH, 1997, LANSING POLICE CHIEF JEROME G. BOLES II RETIRED AFTER 29 YEARS OF DEDICATED AND LOYAL SERVICE TO THE CITIZENS OF LANSING; AND

WHEREAS, JERRY BEGAN ON JULY TH, 1968 AS A CITY OF LANSING PATROLMAN AND SERVED IN A NUMBER OF POLICE FUNCTIONS INCLUDING BEAT OFFICER, MOTORIZED PATROL OFFICER, MOTORCYCLE OFFICER, COMMUNICATIONS OFFICER, DETENTION OFFICER, UNDERCOVER "MOD SQUAD" OFFICER, PATROL SERGEANT, PATROL LIEUTENANT, UNIFORM DIVISION CAPTAIN, HUMAN RESOURCES CAPTAIN, AND CHIEF OF POLICE; AND

WHEREAS, JERRY, BORN IN DAYTON OHIO ON JULY 19, 1946, GRADUATED FROM MANCERLONA HIGH SCHOOL IN 1964, MOVED ON TO EARN HIS BACHELORS IN 1968 IN POLICE ADMINISTRATION AND HIS MASTERS IN 1973 CRIMINAL JUSTICE WITH A 4.0 GRADE POINT AVERAGE FROM MICHIGAN STATE UNIVERSITY, AND IN 1987 GRADUATED WITH DISTINCTION FROM THE 148TH SESSION OF THE FBI NATIONAL ACADEMY; AND

WHEREAS, JERRY EARLY IN HIS CAREER WAS INSTRUMENTAL IN ESTABLISHING MANY INNOVATIVE PROGRAMS INCLUDING THE CREATION OF THE FIRST CRIME PREVENTION UNIT, AND THE WRITING OF SEVERAL FEDERAL GRANTS; AND

WHEREAS, JERRY WILL BE REMEMBERED FOR HIS EFFORTS

TO DRAMATICALLY CHANGE THE PHILOSOPHY OF POLICING IN THE CITY OF LANSING, INCLUDING HIS EFFORTS TO CREATE A MORE ETHNICALLY DIVERSE POLICE FORCE, DECENTRALIZATION OF POLICE SERVICE, NEIGHBORHOOD PROBLEM SOLVING TEAMS, AND A SOUTH PRECINCT AND NETWORK CENTER; AND

WHEREAS; JERRY WILL ALSO BE REMEMBERED AS A FUTURIST WHO WAS INSTRUMENTAL IN DEVELOPING THE VISION, MISSION, AND GOALS FOR THE LANSING POLICE DEPARTMENT WHICH WILL CONTINUE INTO THE NEXT CENTURY;

AND NOW THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL, SITTING IN REGULAR SESSION ON THIS 22ND DAY OF SEPTEMBER, 1997, HEREBY OFFERS IT'S MOST SINCERE AND HEARTFELT APPRECIATION TO JEROME G. BOLES II FOR A JOB TRULY WELL DONE; AND

BE IT FURTHER RESOLVED, THE LANSING CITY COUNCIL WISHES JERRY, HIS WIFE JO, AND THEIR CHILDREN, KATIE, ERIC, AND STACIE, CONTINUED HEALTH AND HAPPINESS IN ALL THEIR FUTURE ENDEAVORS.

ELLEN BEAL                      HAROLD LEEMAN, JR.      JOAN BAUER  
 HOWARD JONES      RICK LILLY                      SANDY ALLEN  
 TONY BENAVIDES      PAUL NOVAK

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #525**  
**BY COUNCILMEMBER HOWARD JONES**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$6,353.25	STATE & FED. PROG VOCA GRANT-SAL. 273-343201- 707000-17715	
\$1,567.69	VOCA GRANT-FRINGE BENEFITS 273-342201- 715000-17715	
\$666.75		VOCA -LPD OVERTIME 273- 343201-708000-17715
\$5,347.22		MISC & OPER. EXPENSE 273-343201-1000-17715
\$1,906.97		EQUIPMENT 273-343201- 977000-17715

IMPLEMENTATION OF GRANT AMENDMENT AS APPROVED BY GRANTOR. GRANT FOR COORDINATION OF VOLUNTEERS TO ASSIST IN REDUCING DOMESTIC VIOLENCE. TRANSFER REQUIRED PRIOR TO SEPTEMBER 30. OR FUNDS ARE



FORFEITED. GRANT ORIGINALLY APPROVED BY CITY COUNCIL ON JULY 22, 1997.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #526**

BY THE COMMITTEE ON WAYS AND MEANS

WHEREAS, THE LANSING CITY COUNCIL ON FEBRUARY 19, 1996 PASSED RESOLUTIONS #068 THROUGH #073 FOR ACT-18-95 THROUGH ACT 23-95 RESPECTIVELY, WHICH ADDRESSED ACQUISITION WITH BOARD OF WATER AND LIGHT (BOARD OF WATER & LIGHT) FUNDS OF SPECIFIC WELL SITES IN THE NAME OF THE CITY OF LANSING FOR BOARD OF WATER & LIGHT PURPOSES, TO WIT: FOR POSSIBLE FUTURE BOARD OF WATER & LIGHT WELLS, AND

WHEREAS, ON OCCASION, THE BOARD AND THE CITY FIND IT BENEFICIAL TO TRANSFER PROPERTY INTO AND OUT OF BOARD OF WATER & LIGHT JURISDICTION IN RETURN FOR PAYMENT OF ONLY NOMINAL CONSIDERATION, AND

WHEREAS, THEREAFTER, THE CITY OR THE BOARD OF WATER & LIGHT MAY, OVER TIME, INCUR COSTS FOR MAINTENANCE, OR MAY INCUR LIABILITY FOR ENVIRONMENTAL CONTAMINATION OR OTHER EVENTS WHICH OCCUR ON THE PROPERTY, AND

WHEREAS, WHEN, PURSUANT TO CITY CHARTER, SUCH TRANSFERRED PROPERTY IS DISPOSED OF TO A THIRD PARTY FOR VALUABLE CONSIDERATION, THE QUESTION MAY BE RAISED AS TO THE DISTRIBUTION OF THE SALE PROCEEDS BETWEEN THE CITY AND THE BOARD OF WATER & LIGHT, AND

WHEREAS, THE MAYOR AND GENERAL MANAGER RECOMMEND THAT PROCEEDS ARISING FROM THE SUBSEQUENT SALE OR DISTRIBUTION OF SUCH PROPERTY, BE DEPOSITED IN AN ACCOUNT TO BE JOINTLY ADMINISTERED AND SHARED BY THE BOARD AND THE CITY FOR ECONOMIC DEVELOPMENT PURPOSES, AND

WHEREAS, IT IS RECOMMENDED THAT THE PROCEEDS FROM THE SALE OF PROPERTY AT 6551 S. PENNSYLVANIA AVENUE IN THE AMOUNT OF \$79,599.81 PLUS INTEREST, BE PLACED IN SUCH FUND, AND

WHEREAS, TWO PROJECTS HAVE BEEN IDENTIFIED AND RECOMMENDED BY THE BOARD OF WATER & LIGHT AND THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT AND CONCURRED IN BY THE MAYOR AND THE GENERAL MANAGER OF THE BOARD OF WATER & LIGHT TO BE PAID FROM THE PROCEEDS OF THE SALE OF 6551 S. PENNSYLVANIA AVENUE REGARDING GIS EQUIPMENT (\$18,000) AND SUPPORT OF THE PRINCIPAL SHOPPING

DISTRICT (PSD) COMPREHENSIVE PLAN (\$30,000), AND

WHEREAS, IN ADDITION TO THE AFORESTATED FUNDS FROM THE BOARD OF WATER & LIGHT, THE FOLLOWING FUNDS AND SOURCES HAVE BEEN COMMITTED TO HIRE PRIVATE CONSULTANTS TO WORK ON THE PSD COMPREHENSIVE PLAN: CITY GENERAL FUND (\$30,000); THE STATE OF MICHIGAN (\$10,000); CATA (\$10,000); AND PSD (\$30,000), AND

WHEREAS, THE COMMITTEE ON WAYS AND MEANS HAS REVIEWED THESE MATERIALS AND CONCURS THEREWITH;

NOW THEREFORE BE IT RESOLVED THAT THE LANSING CITY COUNCIL ACCEPTS AND CONFIRMS THE POLICY WHICH PROVIDES THAT WHEN REAL PROPERTY, WHOSE JURISDICTION HAS BEEN TRANSFERRED BETWEEN THE CITY OF LANSING AND THE BOARD OF WATER AND LIGHT FOR NOMINAL CONSIDERATION, IS SOLD TO A THIRD PARTY FOR VALUABLE CONSIDERATION, THE SALE PROCEEDS BE PLACED IN SUCH FUND AND EXPENDED IN ACCORDANCE WITH THE PROCEDURE STATED ABOVE.

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS HEREBY AUTHORIZED TO MAKE THE ADMINISTRATIVE TRANSFERS NECESSARY TO ACCEPT AND EXPEND THESE BOARD OF WATER & LIGHT FUNDS FOR GIS EQUIPMENT (\$18,000) AND FOR THE PSD COMPREHENSIVE PLAN (\$30,000) AS WELL AS TO ACCEPT AND TRANSFER FUNDS FROM THE STATE OF MICHIGAN (\$10,000) AND CATA (\$10,000) FOR THE BALANCE OF THE COST OF THE PSD COMPREHENSIVE PLAN.

BE IT FINALLY RESOLVED THAT THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL DOCUMENTS AND CONTRACTS NECESSARY TO EFFECTUATE THE AFORESTATED TRANSACTIONS, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**ORDINANCES FOR INTRODUCTION**

THERE WERE NO ORDINANCES FOR INTRODUCTION

**ORDINANCES FOR PASSAGE**

THERE WERE NO ORDINANCES FOR PASSAGE

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY RELATED MATTERS

WILLY WILLIAMS OF 505 W. LENAWEE LAMENTED THE ATTENTION PAID BY COUNCILMEMBERS TO THE "SQUEAKY



WHEELS IN THE PEANUT GALLERY" AND THE INAPPROPRIATE BEHAVIOR OF SOME OF THE PEOPLE WHO ADDRESS THE COUNCIL. HE CRITICIZED THE CAMPAIGN RHETORIC OF LLOYD TEETS AND RECITED FROM A PRINT OUT OF MR. TEETS CRIMINAL HISTORY.

LAUREN CLOUD OF 746 CLEO ST., AN ART PROFESSOR AT MSU ASKED FOR THE CITY'S APPROVAL FOR ONE OF HER CLASSES TO TAKE ON A REHABILITATION PROJECT OF AN ABANDONED HOUSE AT THE CORNER OF MADISON AND CHESTNUT STREETS. SHE STATED THAT HER STUDENTS CIRCULATED PETITIONS LAST SATURDAY AND COLLECTED 40 SIGNATURES OF RESIDENTS IN THIS NEIGHBORHOOD WHO SUPPORT THE PROJECT.

#### REFERRED TO THE MAYOR AND THE CITY ATTORNEY

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING SAID THAT, WHILE HE MAY VOTE IN E. LANSING, HIS SON WAS SHOT AND KILLED BY A LANSING POLICE OFFICER ON SPECIAL ASSIGNMENT IN MASON. THIS GIVES HIM THE RIGHT TO ADDRESS THE LANSING CITY COUNCIL ON RELATED ISSUES. HE SPOKE REGARDING THE COSTS OF IMPLEMENTING THE CITIZENS REVIEW BOARD. GENERAL MOTORS, HE SAID, WILL BASE THEIR DECISIONS ABOUT STAYING IN LANSING COMPLETELY ON THE COST OF DOING BUSINESS HERE. HE PERSONALLY BELIEVES THAT THEY WILL TAKE THEIR PRODUCTION TO MEXICO, BECAUSE OF THE LOW COST OF LABOR THERE.

LLOYD TEETS OF 116 E. ELM ST. SPOKE REGARDING HIS ELIGIBILITY/INELIGIBILITY FOR OFFICE. STATE STATUTES SAY THAT AFTER 20 YEARS HE CAN RUN FOR OFFICE. HE HAS PAID FOR THE CRIMES HE COMMITTED AND HAS CONFESSED HIS SINS TO GOD ALMIGHTY.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. THANKED GOD FOR GIVING HIM THE CONVICTIONS AND STRENGTH TO ATTEND THESE MEETINGS WEEK AFTER WEEK FOR FIGHT FOR JUSTICE. HE URGED RESIDENTS TO PROCURE COPIES OF THE REPORT FROM THE BOARD OF POLICE COMMISSIONERS ON THE MELLING FORGE TEAR GAS INCIDENT. HE BELIEVES THE REPORT TO BE PURE WHITEWASH. PEOPLE NEED TO BE INFORMED ABOUT WHAT THE CITIZENS REVIEW BOARD WILL DO FOR THE CITY. HE MADE A PLEA FOR FINANCIAL SUPPORT FROM THE PUBLIC. DONATIONS CAN BE MAILED TO THE COMMITTEE FOR THE CITIZENS REVIEW BOARD AND MAILED TO 3815 BERWICK DR., LANSING, MI 48911. MORE INFORMATION IS AVAILABLE BY CALLING 482-7543.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO URGED THE PUBLIC TO VOTE YES FOR THE CITIZENS REVIEW BOARD ON NOVEMBER 4, 1997. IT IS IMPORTANT TO NOTE, AGAIN, THAT 7,267 RESIDENTS SIGNED THESE PETITIONS AND THEY WERE SIGNED IN ONE MONTH. THE BOARD OF POLICE COMMISSIONERS IS THE LANSING POLICE DEPARTMENT, THEY ARE NOT SEPARATE. FOR THAT REASON

ALONE, WE NEED AN INDEPENDENT REVIEW BODY TO REVIEW THE ACTIONS OF THE POLICE DEPARTMENT. HE URGED THE PUBLIC TO VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT QUESTION.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. THANKED COUNCILMEMBERS BEAL AND ALLEN FOR THE IMPLEMENTATION OF THE TRUANCY PROGRAM. THE NORTH SIDE POLICE PRECINCT WORKED ON PUTTING THIS PROGRAM TOGETHER. HE THANKED LLOYD TEETS FOR RUNNING FOR THE CITY CLERK'S JOB. HE DOES NOT BELIEVE THAT WE SHOULD EVER HAVE UNOPPOSED OFFICES ON THE BALLOT. HE STATED HIS DISAPPOINTMENT AT THE WITHDRAWAL OF COUNCILMEMBER LILLY FROM THE AT-LARGE RACE. HE STATED HIS OPPOSITION TO THE CITIZENS REVIEW BOARD PROPOSAL. WE SHOULD GIVE THE POLICE DEPARTMENT THE APPROPRIATE TOOLS TO WORK WITH RATHER THAN SPENDING \$1,000,000 ON A CITIZENS REVIEW BOARD.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE ASKED THAT THE STORMWATER APPEALS THAT ARE LISTED ON TONIGHT'S AGENDA AS ITEM IX C-7 BE REFERRED TO THE COMMITTEE OF THE WHOLE, RATHER THAN THE COMMITTEE ON PUBLIC SERVICE.

ROSS SMITH OF 2244 TECUMSEH RIVER RD. SAID THAT HE IS HERE TO TALK ABOUT LANSING SCHOOLS. THE TRUANCY PROGRAM IS A GOOD IDEA. HE HAS A 15 YEAR OLD FRIEND WHO GOT DRUNK AND RAN HIS CAR INTO A TREE LAST WEEK. SOMETHING NEEDS TO BE DONE ABOUT THE SITUATION AMONG OUR YOUTH. THIS TYPE OF BEHAVIOR IS DESTRUCTIVE, AND PREVALENT AMONG HIS PEERS.

AMMAHAD AHEKARAKKI OF 902 WILLOW SPOKE IN SUPPORT OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THIS TYPE OF BODY WORKS IN OTHER CITIES. WHY CAN'T LANSING BE AS GOOD AS THEY ARE? HE URGED VOTERS TO VOTE YES ON THIS ISSUE IN NOVEMBER.

ED SIMMER OF 2609 DIER THANKED THE THOUSANDS OF PEOPLE WHO SIGNED THE PETITIONS FOR THE CITIZENS REVIEW BOARD. THIS BODY WILL BRING ACCOUNTABILITY AND INTEGRITY TO THE LPD.

ROBIN TIMMER, NO ADDRESS GIVEN, INVITED COUNCILMEMBERS AND THE LISTENING PUBLIC TO THE OTTO MIDDLE SCHOOL OPEN HOUSE THIS WEDNESDAY AT 6:30 P.M. THEY WILL CELEBRATE THE NEW HEALTH CARE CENTER FOR STUDENTS AND OTHER RESIDENTS IN THE OTTO AREA.. REFRESHMENTS AND TOURS OF THE FACILITY WILL BE AVAILABLE.

ALBERTA JORDAN, NO ADDRESS GIVEN, URGED YOUNG PEOPLE TO REGISTER TO VOTE AND GET OUT IN NOVEMBER AND VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.

THE ISSUE OF THE MANNER IN WHICH COMMITTEE



REPORTS ARE HANDLED WAS REFERRED TO THE  
GENERAL SERVICES COMMITTEE

**COMMITTEE REPORTS**

**RESOLUTION #527**  
REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SAFETY

TO WHOM WAS REFERRED THE PETITIONS FROM CITIZENS  
CONCERNED FOR THE SAFETY OF CHILDREN PLAYING,  
WALKING, AND RIDING THEIR BIKES ON THE SIDEWALK NEAR  
THE CURVE ON CHRISTIANSON ROAD BETWEEN PIERCE AND  
MARY ROADS.

THE TRANSPORTATION AND ENGINEERING DIVISIONS  
RECOMMEND THE INSTALLATION OF A RAISED SIDEWALK,  
ADDITIONAL CHEVRON SIGNAGE, A SHIFT IN THE ROADWAY TO  
RE-ESTABLISH THE SHOULDER ALONG THE CURVE AT  
CHRISTIANSON ROAD BETWEEN PIERCE AND MARY ROADS.

REPORTS AS FOLLOWS: THE COMMITTEE HAS REVIEWED  
THE REPORT FROM THE TRANSPORTATION AND ENGINEERING  
DIVISIONS AND CONCURS WITH THE PROPOSAL TO RAISE  
SIDEWALK, PROVIDE ADDITIONAL CHEVRON SIGNAGE, SHIFT  
THE ROADWAY TO RE-ESTABLISH THE SHOULDER ALONG THE  
CURVE ON CHRISTIANSON ROAD BETWEEN PIERCE AND MARY  
ROADS.

SIGNED: SANDY ALLEN, CHAIR  
TONY BENAVIDES  
PAUL NOVAK

PUBLIC SAFETY COMMITTEE

BY COUNCILMEMBER ALLEN

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY

**RESOLUTION #528**  
REPORT OF COMMITTEE

THE COMMITTEE ON WAYS AND MEANS

TO WHOM WAS REFERRED A REQUEST FROM LANSING  
COMMUNITY COLLEGE FOR \$250 TO HELP SPONSOR  
LIEUTENANT COLONEL CONSUELO CASTILLO KICKBUSCH'S  
PRESENTATION DURING LANSING COMMUNITY COLLEGE'S  
HISPANIC HERITAGE MONTH CELEBRATION.

REPORTS AS FOLLOWS: THE COMMITTEE REVIEWED THE  
REQUEST FROM LANSING COMMUNITY COLLEGE AND  
UNANIMOUSLY AGREED TO ALLOCATE \$250 FROM THE  
COUNCIL'S COMMUNITY PROMOTIONS ACCOUNT TO BE A CO-

SPONSOR AT LTC KICKBUSCH'S PRESENTATION.

SIGNED: HOWARD JONES, CHAIR  
ELLEN BEAL  
RICK LILLY

THE WAYS AND MEANS COMMITTEE

BY COUNCILMEMBER HOWARD JONES

THAT THE REPORT OF THE COMMITTEE BE ADOPTED

CARRIED UNANIMOUSLY

**CITY OFFICER & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF  
BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY  
CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTERS FROM THE CITY ATTORNEY RE:

A. JOHN LILLY V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. BLUE WATER FINANCIAL CO., ET AL V CITY OF  
LANSING, ET AL

RECEIVED AND PLACED ON FILE

3. LETTERS FROM THE MAYOR RE:

A. REQUEST FOR RECIPROCAL TRANSFER OF  
EMPLOYMENT FROM MICHIGAN POLYMER RECLAIM, INC. FROM  
THE CITY OF LANSING TO THE CITY OF ST. JOHNS

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND  
PLANNING

B. TRANSFER OF FUNDS: PLANNING AND NEIGHBORHOOD  
DEVELOPMENT DEPT., PUBLIC SERVICE DEPT.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. SALE OF CITY OWNED PROPERTY LOCATED AT 500 W.  
GENESEE

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND  
PLANNING

D. LETTER OF APPRECIATION FROM JOANNE LATORRE  
REGARDING THE OLDSMOBILE CENTENNIAL CELEBRATION

RECEIVED AND PLACED ON FILE



E. LETTER OF APPRECIATION FROM SYLVIA WARNER TO THE TRAFFIC DEPARTMENT

RECEIVED AND PLACED ON FILE

F. LETTER OF APPRECIATION FROM PATRICK D. HUTTING TO LPD OFFICER JAY VARNEY AND K-9 - LANCE

RECEIVED AND PLACED ON FILE

G. LETTER OF APPRECIATION FROM LAURIE A. ERICKSON OF MI-COPS TO THE LPD

RECEIVED AND PLACED ON FILE

H. LETTER OF COMMENDATION TO LPD OFFICERS FROM SGT. LROY GREEN FOR AN THEIR PERFORMANCE DURING THE OLDSMOBILE CENTENNIAL CELEBRATION

RECEIVED AND PLACED ON FILE

I. APPOINTMENT OF SUSAN ANDERSON OF 3200 LEAWOOD DR. TO THE BOARD OF FIRE COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 1998

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. Z-19-97; NW CORNER OF CAVANAUGH AND AURELIUS RD., PETITION FOR REZONING FROM "F" COMMERCIAL TO "G" WAREHOUSE AND "G-2" WHOLESALE DISTRICT FILED BY JEFFREY E. POORMAN TO ALLOW FOR THE DEVELOPMENT OF SELF STORAGE WAREHOUSE SPACE

REFERRED TO THE MAYOR AND THE PLANNING BOARD

2. Z-22-97; VACANT LAND E OF 1110 MILLER RD., PETITION FOR REZONING FROM "A" RESIDENTIAL TO "G-2" WAREHOUSE DISTRICT FILED BY SNETHKAMP PROPERTIES TO ALLOW FOR DEVELOPMENT OF AN ACCESS RD. TO THEIR PARCEL ON RAMADA AND POSSIBLE OTHER ALLOWABLE "G-2" USES

REFERRED TO THE MAYOR AND THE PLANNING BOARD

3. LETTER FROM THOMAS C. DODD OF 3500 S. WAVERLY RD. REQUESTING EXTENSION OF SEWER SERVICE FROM THE E. SIDE OF WAVERLY RD. TO THE CONSTRUCTION SITE OF A

RESTAURANT TO BE DEVELOPED ON THE W. SIDE OF WAVERLY RD.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

4. LETTER FROM NEL F. LANTING OF 231 ELVIN COURT REGARDING DIFFICULTIES SHE IS HAVING WITH NEIGHBORING PROPERTIES OVER A SHARED DRIVEWAY AND PRIVACY FENCE

REFERRED TO THE CITY ATTORNEY AND THE HUMAN RELATIONS DEPARTMENT

5. 1997 WINTER TAX LEVY AND TAX RATE REQUEST FROM INGHAM INTERMEDIATE SCHOOL DISTRICT

REFERRED TO THE MAYOR

6. COPY OF A LETTER FROM MARY M. HAUSER OF 6 LAWLER CT., OF THE OLD FOREST L.A.N.D. COMMITTEE TO CARL BROOKS OF IDA'S & SONS AT 610 W. SAGINAW REQUESTING THE REMOVAL, OR BLOCKAGE OF THREE TELEPHONES LOCATED AT HIS STORE BETWEEN THE HOURS OF 11:00 P.M. AND 6:00 A.M.

REFERRED TO THE MAYOR

7. STORMWATER ENTERPRISE FUND APPEALS FROM: LAURANCE & MARIKA HEUER 119 GARDEN ST., ANNE SIMON 911 S. DEXTER DR., RONALD PREADMORE 4220 CHRISTIANSEN RD., ROGER TILL 2418 ARTISIAN, CHARLES CHAPMAN 816 W. WILLOUGHBY RD., RICHARD & HELEN FISER 1500 E. CAVANAUGH RD., WALTER JONES 215 RUMSEY

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

8. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM MARSHALL CLARK OF 915 S. DEXTER ST. REQUESTING THE INSTALLATION OF ADDITIONAL STOP SIGNS ON DEXTER DR.

REFERRED TO THE MAYOR, THE TRAFFIC BOARD AND THE COMMITTEE ON PUBLIC SAFETY

### MOTION OF EXCUSED ABSENCE

BY COUNCILMEMBER ALLEN

TO EXCUSE COUNCILMEMBER NOVAK FROM TONIGHT'S PROCEEDINGS. SHE OFFERED HER CONGRATULATIONS TO COUNCILMEMBER NOVAK'S FAMILY ON THE BIRTH OF HIS NEW BABY DAUGHTER, CLARE, WHO WEIGHED IN AT 8 POUNDS 8 OUNCES.

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER CONGRATULATED COUNCILMEMBER NOVAK AND HIS WIFE, LINDA, ON THE BIRTH OF THEIR NEW



BABY GIRL, CLARE. SHE THANKED THE ROTARY CLUB FOR THE CLARION CLOCK TOWER IN WENTWORTH PARK. SHE REPORTED WORKING ON A 1/4 MILE RIVER CLEAN-UP PROJECT LAST SUNDAY. SHE ANNOUNCED THAT THE OLDSMOBILE CLASSIC CELEBRATION RAISED \$129,000 FOR YOUTH CHARITIES, AND THEY ALL RECEIVED THEIR MONEY THIS WEEK. SHE THANKED OLDSMOBILE AND THEIR VOLUNTEERS WHO MADE THIS EVENT AND CHARITABLE DONATION POSSIBLE. SHE IS HOPEFUL THAT GENERAL MOTORS DECISION TO STAY IN LANSING CAN BE AFFECTED BY THE SUPPORT OF THE PUBLIC AND THE ENCOURAGEMENT OF A GROUNDSWELL OF GRATITUDE TOWARDS THEM.

COUNCILMEMBER JONES NOTED THAT QUITE A FEW PEOPLE KEEP TRACK OF THE SHIRTS HE WEARS ON MONDAY NIGHTS. THE PARTICULAR SHIRT HE IS WEARING TONIGHT IS FROM AN INDUCTION INTO THE BASEBALL HALL OF FAME.

COUNCILMEMBER LEEMAN REPORTED TO THE CITIZENS AND HIS COLLEAGUES THAT THE PUBLIC SERVICE COMMITTEE MET TODAY AT 3:00 WITH THE CONSULTANTS HIRED TO STUDY THE CSO PROJECT AND STORM WATER ENTERPRISE FUNDING MECHANISM. THEY WERE GIVEN AN OVERVIEW OF THE WORKSHOP THAT WAS CONDUCTED AT THE LANSING CENTER. THEY WILL BE GUESTS AT THE COMMITTEE OF THE WHOLE NEXT THURSDAY TO MAKE A PRESENTATION. HE SUGGESTED THAT THIS MEETING BE TELEVISED. HE THANKED THE ROTARY CLUB FOR THE STEAM CLOCK IN WENTWORTH PARK. HE REPORTED ATTENDING THE LPD AWARDS CEREMONY ON WEDNESDAY, SEPTEMBER 17, 1997 ALONG WITH COUNCILMEMBERS BENAVIDES AND ALLEN. HE THANKED KAREN SCHMIDT FOR FILMING THIS EVENT, WHICH WILL BE SHOWN ON CHANNEL 28.

COUNCILMEMBER ALLEN SAID THAT THE LPD AWARDS CEREMONY WAS A VERY TOUCHING EVENT. SHE NOTED THAT THE ARBOR DRUG STORE THAT IS PROPOSED FOR THE CORNER OF CAVANAUGH AND CEDAR ST. HAS SUBMITTED A REVISED SITE PLAN. THEY WILL BE MEETING TOMORROW TO GET THIS PROJECT ROLLING.

COUNCILMEMBER BEAL SAID THAT HER NEIGHBOR, DOUG, GAVE HER A POSTER SHE WAS TO HAVE BROUGHT TO TONIGHT'S MEETING, PROMOTING THE AIDS AWARENESS WALK NEXT MONDAY NIGHT. THIS IS A 5K WALK/RUN. SHE THANKED COUNCILMEMBER LEEMAN FOR COVERING FOR HER ON THURSDAY AT THE COMMITTEE OF THE WHOLE MEETING. SHE WISHED A HAPPY BIRTHDAY TO HOWARD JONES AND SANDY ALLEN.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

LISA ESTLUND OLSON NOTED THAT WE ARE OFFICIALLY IN THE FALL SEASON. SILVER BELLS IN THE CITY IS COMING UP. THE EVENT WILL BE SOMEWHAT DIFFERENT THIS YEAR, IN THAT THERE WILL BE AN ELECTRIC PARADE STARTING AT 6:15

P.M. AND LASTING 45 MINUTES. THERE ARE OVER 20 ENTRIES IN THE PARADE WHICH WILL GO DOWN WASHINGTON SQUARE TO MICHIGAN AVE. AND ON TO CAPITOL AND THE CHRISTMAS TREE WHICH WILL BE LIT AT 7:00 P.M. PEOPLE WILL NEED TO BE STATIONED ALONG WASHINGTON SQUARE FOR THE BEST VIEW OF THE PARADE. THERE ARE A MINIMUM OF 5,000 LIGHTS ON EACH ENTRY. THE FOLLOWING WEEK, THE WONDERLAND OF LIGHTS WILL BEGIN AT THE POTTER PARK ZOO. AN ADDITION TO THE HOLIDAY CELEBRATION THIS YEAR WILL BE THE "LIGHT THE NEIGHBORHOOD" COMPETITION. SHE THANKED CHUCK STEINBECK OF THE HUMAN RELATIONS DEPARTMENT AND ANNE SMILED FROM THE INGHAM COUNTY BOARD OF COMMISSIONERS FOR THE "STOP THE VIOLENCE" RALLY AT EASTERN HIGH SCHOOL OVER THE WEEKEND.

**ADJOURNED 8:45 P.M.  
MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF SEPTEMBER 29, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF SEPTEMBER 15, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER JONES; A REQUEST THAT THE RULES BE SUSPENDED TO ALLOW FOR THE ADDITION OF A SPECIAL CEREMONY TO ALLOW FOR THE PRESENTATION OF THE WEST TOWN NEIGHBORHOOD RESOURCES DIRECTORY

2. FROM COUNCILMEMBER ALLEN; A RESOLUTION RESETTING A PUBLIC HEARING FOR OCTOBER 6, 1997 IN CONSIDERATION OF THE ISSUANCE OF ORDERS FOR MAKE-SAFE OR DEMOLISH FOR PROPERTY LOCATED AT: 1312 W. IONIA, 1230 E. MAIN, 708 BAKER

3. FROM COUNCILMEMBER ALLEN; A PETITION SIGNED BY 37 RESIDENTS OF CLIFTON AVE. REQUESTING THAT THE RESURFACING OF THEIR STREET BE PLACED ON THE PRIORITY NEEDS LIST

4. FROM COUNCILMEMBER ALLEN; A PETITION FROM RESIDENTS OF JULIA ST. AND LIVERNOIS ST. SUBMITTING PARKING REGULATION CHANGE REQUEST FOR THE AREA AROUND CAVANAUGH PARK

5. FROM COUNCILMEMBER ALLEN; A LETTER FROM MARGARET COSTIGAN REGARDING THE BARRICADE PLACED AT JEROME AND HOLMES STREETS

6. FROM COUNCILMEMBER ALLEN; ORDINANCE FOR PASSAGE; HOUSING CODE AMENDMENT TO CHAPTER 1460

7. FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR RECOGNITION OF NON-PROFIT STATUS FROM MICHIGAN PRIDE, INC.

8. FROM COUNCILMEMBER LEEMAN; A RESOLUTION NAMING A VOTING DELEGATE AND AN ALTERNATE FOR COUNCIL'S REPRESENTATIVES AT THE NATIONAL LEAGUE OF CITIES CONFERENCE ON DECEMBER 6, 1997

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES ANNOUNCED THAT THE GREATER LANSING AMATEUR HOCKEY ASSOCIATION DOMED ICE RINK AT WASHINGTON PARK WILL BE GRANTING SCHOLARSHIPS FOR PARTICIPATION IN IT'S HOCKEY PROGRAM.

COUNCILMEMBER ALLEN ANNOUNCED THAT AT THE FIRST TRUANCY SWEEP HELD ON SEPTEMBER 23, 1997, THE LPD PICKED UP 29 KIDS. FOUR (4) OF THEM WERE OVER THE AGE OF 16, AND WERE RETURNED TO SCHOOL. FIVE (5) WHOSE PARENTS COULD NOT BE CONTACTED. FIVE (5) WHOSE PARENTS WERE CONTACTED AND TICKETED, AND FIFTEEN (15) WHOSE PARENTS WERE CONTACTED AND OPTED TO PARTICIPATE IN THE CLEMENCY PROGRAM. SHE WARNED PEOPLE WHO PARK IN RESIDENTIAL NEIGHBORHOODS AROUND EVERETT HIGH SCHOOL DURING FRIDAY NIGHT FOOTBALL GAMES THAT THEIR CARS WILL BE TICKETED IF THEY ARE PARKING IN NO PARKING ZONES. SHE SPOKE REGARDING A DANGEROUS SITUATION AT LYONS STREET SCHOOL THAT WAS REPORTED TO HER BY PARENTS. SHE IS TRYING TO SET UP A MEETING TO ADDRESS THIS PROBLEM.

COUNCILMEMBER BENAVIDES REPORTED THAT LAST TUESDAY HE BECAME A GRANDFATHER FOR THE FOURTH (4) TIME TO MILAN ANTONIO WEIGHING IN AT 10 POUNDS AND 15 OUNCES. HE WISHED HAPPY BIRTHDAY TO HIS SON, WHOSE BIRTHDAY IS TODAY.

COUNCILMEMBER NOVAK REPORTED THE BIRTH OF HIS THIRD DAUGHTER, CLAIRE GILLIAN NOVAK.

COUNCILMEMBER LILLY SAID THAT THE ISSUE OF THE PARKING PROBLEMS AROUND EVERETT HIGH SCHOOL ON FRIDAY NIGHTS IS, MORE THAN LIKELY, CREATED BY THE FACT THAT EASTERN IS NOW PLAYING THEIR HOME GAMES AT EVERETT AND MOST OF THE EASTERN PEOPLE ARE UNFAMILIAR WITH THE PARKING REGULATIONS IN THE AREA.

MAYOR HOLLISTER ANNOUNCED THAT HE IS A NEW GRANDFATHER TOO, TO MEAGAN MCCALL, BORN AUGUST 1, 1997, WEIGHING 7 POUNDS AND 3 OUNCES. HE



ANNOUNCED THAT TOURS OF THE NEWLY RENOVATED DETENTION FACILITY AND SECOND FLOOR CLASSROOMS AT LPD WILL BE AVAILABLE BEGINNING TOMORROW. ALSO BEGINNING TOMORROW, AT THE LANSING CENTER, IS THE 10TH ANNIVERSARY OF THE BUSINESS TRADE FAIR, INCLUDING A STUDENT CAREER FAIR. OCTOBER 9, THROUGH 11, 1997 IS "FALL HARVEST DAYS" AT THE CITY MARKET. OLDSMOBILE PARK WILL FEATURE A "HAUNTED HOUSE" AGAIN THIS YEAR BEGINNING TUESDAY, OCTOBER 16, 1997 AND RUNNING THROUGH HALLOWEEN NIGHT.

MAYOR HOLLISTER INTRODUCED JIM MENAPACE, AN EXECUTIVE ON LOAN FROM GENERAL MOTORS, TO ASSIST IN THE IMPLEMENTATION OF THE LANSING SCHOOL DISTRICT'S BLUE RIBBON COMMITTEE RECOMMENDATIONS. MR. MENAPACE REVIEWED THE RECOMMENDATIONS OF THE BLUE RIBBON COMMITTEE FOR FOSTERING ENHANCEMENT OF SCHOOL DISTRICT PROGRAMS. HE REPORTED ON THE DIFFERENT MENTORING, TUTORING, AND COACHING PROGRAMS UTILIZING MORE THAN 600 VOLUNTEERS IN THE LANSING SCHOOL SYSTEM. THEY WILL HAVE A DIRECTOR ON LINE BY OCTOBER 16, 1997 TO ASSIST HIM IN THE IMPLEMENTATION OF THESE RECOMMENDATIONS.

MAYOR HOLLISTER REPORTED THAT TESTING HAS REVEALED THAT 1,400 LANSING SCHOOL DISTRICT STUDENTS IN THE 3,4, AND 5TH GRADES ARE READING AT 29% OF THE NATIONAL AVERAGE.

CITY CLERK, MARILYNN SLADE, ANNOUNCED THAT NEXT MONDAY IS THE LAST DAY FOR REGISTRATION AND CHANGE OF ADDRESS FOR THE NOVEMBER 4, 1997 ODD YEAR GENERAL ELECTION. THE CITY CLERK'S OFFICE WILL REMAIN OPEN UNTIL 8:00 P.M. THAT EVENING, ALSO, PERSONS WISHING TO REGISTER OR CHANGE THEIR ADDRESS CAN DO SO AT ANY SECRETARY OF STATE OFFICE. ADDITIONALLY, MANY HUMAN SERVICES AGENCIES IN THE CITY HAVE REGISTRATION FORMS AVAILABLE.

► SPECIAL CEREMONIES

A. BOB JOHNSON, BUSINESS OMBUDSMAN TO MAYOR HOLLISTER, INTRODUCED DEBBIE ROBERTSON AND GRADUATES; JEFF BETTS OF THE HORRIBLE HUNTING BLIND CO., LINDA KEEFE OF THE INGHAM COUNTY BOARD OF COMMISSIONERS, DIANE LEWIS OF LITTLE BLESSINGS DAY CARE, RANDY WERNER OF ECLIPSE CLEANING CO., DONALD LOVELL OF LOGIC THREE MULTI-MEDIA CO., ERNEST TAYLOR OF ART AND DESIGN, BRIAN SCHAFER OF SCHAFERS APPLIANCE RENTAL, ABDUL CANNARE OF CANNARE CONSULTING, ALICIA FLOWERS OF GIFT BASKETS AND MORE. AND JOHN ROBERTSON OF ROBERTSON ASSISTED LIVING HOME. THESE ARE THE LATEST GRADUATES OF THE LANSING COMMUNITY MICRO ENTERPRISE FUND CLASSES. THE GRADUATES ALL EXPRESSED THEIR APPRECIATION FOR THIS BUSINESS INCUBATION PROGRAM.

B. GREG MARTIN, LANSING FIRE CHIEF, INTRODUCED FIRE FIGHTERS FRANCISCO CAMPOS AND MIGUEL ANGEL SANTANA FROM OUR SISTER CITY, GUADALAJARA, MEXICO, WHO WILL BE OBSERVING LANSING FIRE FIGHTING PROCESSES AND TECHNIQUES FOR THE NEXT WEEK.

C. CAROL WOOD, OF THE WEST TOWN REDEVELOPMENT

AREA COMMITTEE, PRESENTED COUNCILMEMBERS WITH COPIES OF THE WEST TOWN NEIGHBORHOOD RESOURCES DIRECTORY. THIS DIRECTORY, HIGHLIGHTING BUSINESSES, SERVICES AND SCHOOLS IN THE AREA, WILL BE DISTRIBUTED TO OVER 1,500 PROPERTY OWNERS ON THE WEST SIDE.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 1460, THE HOUSING CODE, SECTIONS 1460.10 THROUGH 1460.99

GARY LINN OF 121 S. FOSTER DISPLAYED AN ARTICLE FROM LAST SUNDAY'S STATE JOURNAL. THIS ARTICLE REPORTS THAT 2,700 HOUSES IN LANSING HAVE NEVER BEEN INSPECTED. THIS WAS DETECTED THROUGH THE FILING OF HOMESTEAD EXEMPTION CERTIFICATES. THE RENTAL PROPERTY REGISTRATION PROGRAM HAS HAD THE EFFECT OF PUNISHING HONEST LANDLORDS WHO ARE COMPLYING WITH THE REQUIREMENTS OF THE PROGRAM. THEY ARE INSPECTED AND REINSPECTED OVER AND OVER AGAIN. THE ONLY PEOPLE BENEFITTING FROM RENTALS ARE SLUM LANDLORDS WHO DO NOT REGISTER OR REPAIR THEIR PROPERTIES.

LLOYD TEETS OF 116 E. ELM ST. AGREED WITH THE STATEMENTS OF THE PREVIOUS SPEAKER. HE HAS ALWAYS HOPED THAT THE TIME WOULD COME WHEN THE COUNCIL WOULD SERIOUSLY LOOK AT THE HOUSING CODE, HOWEVER HE HAS BECOME RESIGNED THAT IT WILL NOT HAPPEN IN HIS LIFETIME. ABUSE BY THIS SYSTEM WILL CONTINUE YEAR AFTER YEAR, BECAUSE IT IS EASIER THAN TRYING TO CONTAIN THE BUILDING SAFETY DIVISION. THIS ORDINANCE FIXES NOTHING, AND HAS NO VALUE, EXCEPT, POSSIBLY TO MAKE COUNCILMEMBER ALLEN FEEL GOOD.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. IN CONSIDERATION OF A ORDINANCE TO AMEND CHAPTER 5 BY ADDING A NEW SECTION, 5.2(A), FOR THE PURPOSE OF DOUBLING THE FINES FOR MOVING VIOLATIONS IN CONSTRUCTION ZONES, AT EMERGENCY SCENES, AND IN SCHOOL ZONES

KELLY PROPER OF 107 E. CAVANAUGH STATED HER SUPPORT OF THIS ORDINANCE WHICH WILL ALLOW LANSING TO COLLECT A GREATER SHARE OF THE REVENUE GENERATED FROM THIS TYPE OF FINE. SHE THANKED COUNCILMEMBER ALLEN FOR IMPLEMENTING THIS AMENDMENT.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. IN CONSIDERATION OF AN ORDINANCE READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING TO PROVIDE THAT THE 1987 CODE OF ORDINANCES AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH OCTOBER 6, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE READ EVERY



SCRAP OF INFORMATION IN THE BOOK ON THIS AMENDMENT, AND HE REMAINS TOTALLY PERPLEXED. HE DOES NOT UNDERSTAND WHY THIS ORDINANCE IS NECESSARY.

REFERRED TO THE COMMITTEE OF THE WHOLE

4. IN CONSIDERATION OF THE SALE OF PROPERTY; A VACANT 8.73 ACRE PARCEL IN THE 3200 BLOCK OF W. MILLER RD.

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

THERE WERE NO COMMENTS ON LEGISLATIVE MATTERS.

**LEGISLATIVE MATTERS  
RESOLUTIONS**

RESOLUTION #529

BY THE COMMITTEE OF GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE ITALIAN AMERICAN CLUB OF LANSING, HAS APPLIED TO THE MICHIGAN LIQUOR CONTROL COMMISSION FOR AUTHORIZATION TO PROVIDE TEMPORARY OUTDOOR SERVICE DURING OCTOBER 18 AND 19, 1997, IN A PRIVATE ENCLOSURE AT THE MARSHALL STREET ARMORY ON 810 MARSHALL STREET; AND

WHEREAS, THE MICHIGAN LIQUOR CONTROL COMMISSION RULES REQUIRE THAT THE LOCAL LEGISLATIVE BODY APPROVE SUCH APPLICATIONS PRIOR TO ISSUANCE OF THE PERMIT, AND

WHEREAS, THE CLERK HAS REPORTED THAT ALL NECESSARY ADMINISTRATIVE APPROVALS HAVE BEEN GIVEN; AND

NOW THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE REQUEST FROM THE ITALIAN AMERICAN CLUB OF LANSING, INC. FOR AUTHORIZATION TO PROVIDE TEMPORARY OUTDOOR SERVICE DURING OCTOBER 18 AND 19, 1997, IN A PRIVATE ENCLOSURE AT THE MARSHALL STREET ARMORY ON 810 MARSHALL STREET; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS DIRECTED TO COMPLETE THE PROPER FORM AND SUBMIT IT WITH THIS RESOLUTION TO THE MICHIGAN LIQUOR CONTROL COMMISSION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

RESOLUTION #530

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE GREATER LANSING SYMPHONY ORCHESTRA HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES THE GREATER LANSING SYMPHONY ORCHESTRA AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

RESOLUTION #531

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

BE IT RESOLVED THAT RULE 17. STANDING COMMITTEES OF THE RULES OF COUNCIL BE AMENDED AS FOLLOWS:

RULE 17. STANDING COMMITTEES. AT THE COMMENCEMENT OF EACH YEAR, THE PRESIDENT SHALL APPOINT COUNCILMEMBERS TO THE FOLLOWING STANDING COMMITTEES:

1. COMMITTEE ON WAYS AND MEANS;
2. COMMITTEE ON DEVELOPMENT AND PLANNING;
3. COMMITTEE ON PUBLIC SAFETY;
4. COMMITTEE ON PUBLIC SERVICES;
5. COMMITTEE ON GENERAL SERVICES;
6. COMMITTEE ON INTERGOVERNMENTAL AFFAIRS; AND
7. COMMITTEE ON COUNCIL PERSONNEL.

THIS COMMITTEE SHALL BE COMPRISED OF FOUR MEMBERS AND SHALL INCLUDE THE PRESIDENT, THE VICE PRESIDENT, ONE AT-LARGE COUNCILPERSON, AND ONE WARD COUNCILPERSON. THE VICE PRESIDENT SHALL SERVE AS CHAIR OF THE COMMITTEE. ~~NO COUNCILPERSON SHALL SERVE CONSECUTIVE TERMS AS AN AT-LARGE OR WARD COMMITTEE MEMBER.~~

THE COMMITTEE ON COUNCIL PERSONNEL SHALL CONSIDER, STUDY AND RECOMMEND WITH RESPECT TO THE FOLLOWING COUNCIL STAFF MATTERS: RECRUITMENT; SELECTION; DISCIPLINE; PERFORMANCE EVALUATIONS; JOB DESCRIPTIONS; POLICY AND PROCEDURE MANUAL DEVELOPMENT; ANY OTHER PERSONNEL MATTER REFERRED TO IT BY THE COUNCIL.

EXCEPT AS MAY OTHERWISE BE PROVIDED HEREIN, THE PRESIDENT SHALL APPOINT A CHAIRPERSON AND VICE CHAIRPERSON OF EACH STANDING COMMITTEE. IN THE TEMPORARY ABSENCE OF THE CHAIRPERSON, THE VICE CHAIRPERSON SHALL ACT AS CHAIRPERSON. THE STANDING COMMITTEES' FUNCTIONS SHALL BE REVIEWED BY THE COUNCIL PRESIDENT AND SHALL BE ADOPTED BY RESOLUTION OF COUNCIL DURING JANUARY OF EACH YEAR. (RES.7. PASSED 1-9-95.)

BE IT FINALLY RESOLVED THAT APPOINTMENT TO THE



COMMITTEE ON COUNCIL PERSONNEL SHALL BE MADE WITHIN FOURTEEN (14) DAYS OF THE EFFECTIVE DATE OF THIS RULE AMENDMENT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #532**  
BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING IS SCHEDULED TO CONVENE ON SATURDAY, DECEMBER 6, 1997; AND

WHEREAS, AS THE CAPITAL CITY OF THE STATE OF MICHIGAN, IT IS VITAL THAT OUR CITY IS WELL-REPRESENTED AT THIS EVENT; AND

NOW, THEREFORE, BE IT RESOLVED, THAT COUNCIL VICE-PRESIDENT HAROLD LEEMAN, JR., IS HEREBY DESIGNATED AS THE VOTING DELEGATE, AND COUNCILMEMBER AT LARGE, JOAN BAUER, IS HEREBY DESIGNATED AS THE ALTERNATE DELEGATE, BOTH REPRESENTING THE CITY OF LANSING.

BE IT FURTHER RESOLVED, THAT THE LANSING CITY CLERK PROCESS THE APPLICATION DOCUMENTS ON THEIR BEHALF, AND FORWARD THEM TO THE NATIONAL LEAGUE OF CITIES.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #533**  
BY COUNCILMEMBER ALLEN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MANAGER OF CODE COMPLIANCE HAS REQUESTED SETTING OF PUBLIC HEARINGS ON ORDERS BY THE DEMOLITION HEARING OFFICERS(S) TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED STRUCTURES AT SEVERAL ADDRESSES; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT PUBLIC HEARINGS BE SCHEDULED AND ANNOUNCED FOR 7:00 P.M. ON MONDAY, OCTOBER 6, 1997, IN THE 10TH FLOOR COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT THE ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED AND DANGEROUS STRUCTURES LOCATED AT:

1312 W Ionia; PARCEL No. 330117253081  
8; W 2 Ft OF S 5 1/2 R Lot 17 Block 1 G S  
FRENCH S SUB & E 1/2 Lot 6 Block 1 HOLMES  
PLAT REC L 2 P 41

1230 E MAIN; PARCEL No. 330122129;  
1819; E 40 Ft OF N 87 Ft Lot 1 Block 5  
MANUFACTURERS ADD No 1

708 BAKER; PARCEL No. 330122351361  
4; Lot 4 Block 1 Assessor S PLAT No 28 REC 1  
10 P 33

BE IT FURTHER RESOLVED THAT THE MANAGER OF CODE COMPLIANCE IS REQUESTED TO MAKE ALL REQUIRED NOTIFICATIONS REGARDING THESE HEARINGS.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER BENAVIDES

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

CARRIED UNANIMOUSLY

BY COUNCILMEMBER BENAVIDES

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

CARRIED UNANIMOUSLY

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING TO PROVIDE THAT THE 1987 CODE OF ORDINANCES AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH OCTOBER 6, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

CARRIED UNANIMOUSLY

BY THE COMMITTEE ON GENERAL SERVICES

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING TO PROVIDE THAT THE 1987 CODE OF ORDINANCES AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH OCTOBER 6, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED, BE NOW PASSED.

BY COUNCILMEMBER NOVAK

TO AMEND THE ORDINANCE IN SECTION FIVE, BY INSERTING



THE FOLLOWING LANGUAGE:

"THAT THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE ON DECEMBER 1, 1997"

CARRIED UNANIMOUSLY

COUNCILMEMBER BENAVIDES MAIN MOTION FOR ADOPTION OF THE ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

BY COUNCILMEMBER BENAVIDES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR, SAFETY SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

**ORDINANCE #975**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, 1997;

WHEREAS, JUSTINIAN PUBLISHING COMPANY PREPARED AND THE CITY COUNCIL ADOPTED THE RECODIFICATION OF CITY ORDINANCES ON SEPTEMBER 28, 1987 IN ORDINANCE NO. 764;

WHEREAS JUSTINIAN PUBLISHING COMPANY PUBLISHED THE RECODIFICATION OF CITY ORDINANCES ON OCTOBER 6, 1987;

WHEREAS THE READOPTION OF CODIFIED ORDINANCES IS BEFORE THE CITY COUNCIL; AND NOW THEREFORE

THE CITY OF LANSING ORDAINS

SECTION 1. THAT THE 1987 CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH OCTOBER 6, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS ARE HEREBY APPROVED AND READOPTED AS THE CODIFIED ORDINANCES OF LANSING, MICHIGAN 1997, COMPLETE TO OCTOBER 6, 1997.

SECTION 2. ALL ORDINANCES AND RESOLUTIONS OR PARTS OF ORDINANCES AND RESOLUTIONS PRIOR TO OCTOBER 6, 1997, INCONSISTENT WITH THESE PROVISIONS ARE REPEALED AS OF THE EFFECTIVE DATE OF THIS ORDINANCE, EXCEPT AS FOLLOWS:

THE READOPTION OF CODIFIED ORDINANCES SHALL

NOT BE CONSTRUED TO AFFECT A RIGHT OR LIABILITY ACCRUED OR INCURRED UNDER ANY LEGISLATIVE PROVISION PRIOR TO THE EFFECTIVE DATE OF SUCH READOPTION, OR AN ACTION OR PROCEEDING FOR THE ENFORCEMENT OF SUCH RIGHT OR LIABILITY. SUCH READOPTION SHALL NOT BE CONSTRUED TO RELIEVE ANY PERSON FROM PUNISHMENT FOR AN ACT COMMITTED IN VIOLATION OF ANY SUCH LEGISLATIVE PROVISION, NOR TO AFFECT AN INDICTMENT OR PROSECUTION THEREFOR. FOR SUCH PURPOSES, ANY SUCH LEGISLATIVE PROVISION SHALL CONTINUE IN FULL FORCE NOTWITHSTANDING ITS REPEAL FOR THE PURPOSE OF REVISION AND CODIFICATION.

SECTION 3. SHOULD ANY SECTION CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 5. THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY. THIS ORDINANCE WILL AUTOMATICALLY EXPIRE ON DECEMBER 1, 1997.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER BENAVIDES.

MARILYNN SLADE, CITY CLERK

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY RELATED MATTERS

RONALD PREADMORE OF 4220 CHRISTIANSEN THANKED COUNCILMEMBER ALLEN FOR THE HELP WITH FIXING THE INFRASTRUCTURE PROBLEMS ON CHRISTIANSEN RD. HE ASKED WHEN THE ACTUAL IMPROVEMENTS WOULD GET UNDERWAY. COUNCILMEMBER LILLY RESPONDED THAT IT IS CURRENTLY UNDER DESIGN IN THE PUBLIC SERVICES DEPARTMENT.

ALBERTA JORDAN, NO ADDRESS GIVEN, URGED PEOPLE TO VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL AT THE NOVEMBER 4, 1997 ELECTION. SHE REMINDED ALL OF HER YOUNG FRIENDS THAT THEY ONLY HAVE SEVEN (7) DAYS LEFT IN WHICH TO REGISTER TO VOTE IN THIS ELECTION. SHE STATED HER FORGIVENESS OF MR. TEETS FOR WHATEVER IS IN HIS PAST.

WILLY WILLIAMS OF 505 W. LENAWEE RECITED THE CRIMINAL HISTORY OF LLOYD TEETS. HE SAID THAT IF CITY CLERK SLADE HAD HALF THE CRIMINAL RECORD THAT MR. TEETS HAS, HE (TEETS) WOULD HAVE PERSECUTED HER FOR IT LONG AGO.

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING SAID THAT THE BOARD OF POLICE COMMISSIONERS IS NOT INDEPENDENT OF THE POLICE DEPARTMENT. THEY HAVE OVERSIGHT OF THE POLICE BUDGET AND POLICIES AND PROCEDURES. THEY ARE A VOLUNTEER GROUP WITH NO STAFF. COMPLAINTS



AGAINST THE POLICE DEPARTMENT ARE INVESTIGATED BY POLICEMEN. IN FACT, CHIEF OF POLICE BOLES ACTUALLY CONDUCTED ONE OF THE BOARD'S MEETINGS THAT HE ATTENDED.

CATINA HUDDLESTON OF 625 WALNUT ST. ASKED COUNCILMEMBERS TO EXPLAIN THE PURPOSE OF THEIR MEETINGS AND THE ACTIONS THEY WILL TAKE TONIGHT.

KELLY PROPER OF 111 E. CAVANAUGH SPOKE REGARDING STATEMENTS MADE TO ALEX BOLT BY THE CITY ATTORNEY WITH REGARD TO THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE. SHE ACCUSED THE CITY ATTORNEY OF MANIPULATING THE VOTERS ON THIS ISSUE.

FRANK CURTIS "X" SPOKE REGARDING THE INCIDENT THAT TOOK PLACE IN LITTLE ROCK, ARKANSAS THIRTY YEARS AGO. WHY WEREN'T ACCOUNTS OF THESE ACTIVITIES INCLUDED IN OUR HISTORY BOOKS? HE STATED THAT HE WILL FILE LAWSUITS TO GET THE MONEY AND RESPECT THAT ARE DUE HIM.

GARY LINN OF 121 S. FOSTER CONTINUED HIS COMMENTS REGARDING THE RENTAL PROPERTY REGISTRATION PROGRAM. HE HAS HAD NEGATIVE EXPERIENCES WITH DAN DAVID, ONE OF TEN HOUSING INSPECTORS FOR THE CITY. THIS PROGRAM IS CROOKED, BECAUSE IT IS NOTHING BUT SELECTIVE ENFORCEMENT. THIS IS AN ORDINANCE THAT NEEDS TO BE AMENDED SO THAT THE GOOD LANDLORDS DO NOT HAVE TO BE INSPECTED UNLESS A COMPLAINT HAS BEEN FILED AGAINST THEM. IT IS THE SLUMLORDS THAT ARE RUINING THE CITY. HE CANNOT RENT OR SELL HIS PROPERTY BECAUSE OF THE PROPERTY, WHICH IS OWNED BY A SLUMLORD, LOCATED NEXT DOOR TO HIS RENTAL UNIT.

LLOYD TEETS OF 116 E. ELM ST. URGED PARTICIPATION IN FALL HARVEST DAYS AT THE CITY MARKET THIS WEEKEND. THEY WILL HAVE A PANCAKE BREAKFAST FROM 8:00 A.M. TO 12:00 P.M. AT A COST OF \$4.00 FOR ADULTS AND \$2.00 FOR CHILDREN. HE CRITICIZED THE WRITING THAT WENT INTO THE AMENDMENT TO READOPT THE CODIFIED ORDINANCES OF THE CITY OF LANSING. THESE PEOPLE DID NOT EVEN KNOW WHAT THEY WERE DOING.

HELEN FISER OF 12100 S. CORK ASKED WHAT DECISION WAS MADE ABOUT THURSDAY'S COMMITTEE OF THE WHOLE MEETING. SHE WOULD LIKE THIS MEETING TO BE TELEVISED, AND SHE WOULD LIKE COUNCIL TO REQUIRE BOB CLEGG TO BE PRESENT.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. SAID THAT THERE HAVE BEEN FOUR (4) CRUCIAL EVENTS IN LANSING SINCE THE BEGINNING OF JUNE. ALL OF THESE ISSUES COULD HAVE BEEN RESOLVED, BUT THEY WERE NOT. SHE ENUMERATED; MAYOR HOLLISTER'S VETO OF THE APPROVAL OF LANGUAGE FOR THE REPEAL OF THE STORM WATER ENTERPRISE FUND ORDINANCE; THE PETITIONS FOR A CITIZENS REVIEW BOARD; THE MELLING FORGE TEAR GAS INCIDENT; THE TREATMENT OF THE HISPANIC FOOD VENDORS AT THE CAPITAL CITY RIVERFEST. THESE ISSUES ARE BAD NEWS FOR MAYOR HOLLISTER. IN 1947 THERE WAS A SEWAGE ISSUE IN LANSING, AND THE PAYMENT METHOD WORKED OUT WAS EQUITABLE, AS IT SHOULD HAVE BEEN THIS TIME.

## COMMITTEE REPORTS

### RESOLUTION #534 REPORT OF COMMITTEE

THE COMMITTEE ON GENERAL SERVICES, TO WHOM WAS REFERRED THE ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, 1997 FOR THE PURPOSE OF PROVIDING THAT THE 1987 CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH OCTOBER 6, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED AS THE CODIFIED ORDINANCES OF LANSING, MICHIGAN 1997;

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE ORDINANCE BE ADOPTED.

SIGNED: TONY BENAVIDES, CHAIRPERSON  
PAUL NOVAK  
JOAN BAUER

BY COUNCILMEMBER BENAVIDES

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY

## CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTER FROM BOARD OF WATER & LIGHT AUDITORS, DELOITTE & TOUCHE SUBMITTING:

- AUDIT REPORT FOR THE BOARD OF WATER & LIGHT FOR FY ENDED JUNE 30, 1997 AND 1996
- AUDIT REPORT FOR THE BOARD OF WATER & LIGHT EMPLOYEES PENSION PLAN

REFERRED TO THE INTERNAL AUDITOR

3. LETTERS FROM THE MAYOR RE:

A. RESIGNATION OF ROSEMARIE AQUILINA FROM THE E.O.C.C.

RECEIVED AND PLACED ON FILE

B. HOUSING RESOURCE FUND APPLICATION

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

C. SIXTH ANNUAL WONDERLAND OF LIGHTS BY THE POTTER PARK ZOOLOGICAL SOCIETY



REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Z-14-97; 233-235 N. PINE ST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

E. Z-16-97; 113 PERE MARQUETTE

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

F. Z-17-97; 1060 N. CEDAR

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

G. Z-18-97; VACANT LAND W SIDE OF THE 4000 BLOCK OF COLLINS RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

H. SLU-06-97; 1700 BLOCK W JOLLY RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

I. SLU-08-97; 800 BLOCK OF E. JOLLY RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

J. SLU-09-97; 300 FRANDOR

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

K. SLU-10-97; 5304 WISE RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

L. TRANSFER OF FUNDS; PUBLIC SERVICE DEPT., PARKS & RECREATION DEPT.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

M. LETTER OF APPRECIATION FROM MICHAEL E. BOTKE OF THE BOYS AND GIRLS CLUB TO MARSHAWN BLAKE AND HEIDI MOEN OF LFD

RECEIVED AND PLACED ON FILE

N. LETTERS OF APPRECIATION FROM GLORIA GREEN AND MARINA EASTERBROOK TO THE LFD

RECEIVED AND PLACED ON FILE

O. LETTER OF APPRECIATION FROM ROBERTA ALBERT TO THE PARKS & RECREATION DEPARTMENT

RECEIVED AND PLACED ON FILE

P. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; ORDINANCE FOR PASSAGE; HOUSING CODE AMENDMENT TO CHAPTER 1460

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

# COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. INGHAM INTERMEDIATE SCHOOL DISTRICT 1997 WINTER TAX LEVY AND TAX RATE REQUEST FOR HOLT PUBLIC SCHOOLS

REFERRED TO THE MAYOR

2. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES OF APPROVAL OF A REQUEST FROM THE BLUE COYOTE BREWING CO. FOR A TEMPORARY OUTDOOR SERVICE PERMIT FOR THEIR OKTOBERFEST

RECEIVED AND PLACED ON FILE

3. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES OF PERMIT #976170 FOR SEWERAGE SYSTEM CONSTRUCTION ISSUED TO THE CITY OF LANSING FOR "ON THE GRAND CONDOMINIUMS"

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE DEPARTMENT

4. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF APPLICATION FOR A PERMIT FOR ALTERATION OR OCCUPATION OF THE FLOODPLAIN OF THE GRAND RIVER FILED BY MAGNATE PROPERTIES LLC & DAVID FERGUSON FOR TURNER STREET PROPERTIES

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE DEPARTMENT

5. REQUEST FOR RECOGNITION OF NON-PROFIT STATUS FROM THE GREATER LANSING SYMPHONY ORCHESTRA

RECEIVED AND PLACED ON FILE

6. LETTER FROM HELEN FISER OF 12100 S. CORK RD., MORRICE ON BEHALF OF WALTER JONES REGARDING HIS 1995 AND 1996 STORMWATER APPEAL FOR PROPERTY LOCATED AT 215 RUMSEY ST.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT AND THE COMMITTEE ON GENERAL SERVICES

7. FROM COUNCILMEMBER ALLEN; A PETITION SIGNED BY 37 RESIDENTS OF CLIFTON AVE. REQUESTING THAT THE RESURFACING OF THEIR STREET BE PLACED ON THE PRIORITY NEEDS LIST

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

8. FROM COUNCILMEMBER ALLEN; A PETITION FROM RESIDENTS OF JULIA ST. AND LIVERNOIS ST. SUBMITTING PARKING REGULATION CHANGE REQUEST FOR THE AREA AROUND CAVANAUGH PARK

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND THE TRAFFIC DEPARTMENT

9. FROM COUNCILMEMBER ALLEN; A LETTER FROM MARGARET COSTIGAN REGARDING THE BARRICADE PLACED AT JEROME AND HOLMES STREETS

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND THE TRAFFIC DEPARTMENT

10. FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR RECOGNITION OF NON-PROFIT STATUS FROM MICHIGAN PRIDE, INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER JONES CAUTIONED ALL DRIVERS HEADING EAST ON KALAMAZOO FROM WASHINGTON AVE. THAT THERE IS A DROP OFF OF 3-4 INCHES. EVERYONE SHOULD SLOW DOWN AND BE CAREFUL AT THIS CONSTRUCTION SITE.

COUNCILMEMBER BAUER SAID THAT SHE WOULD LIKE TO THANK HER COLLEAGUES AND THE RESIDENTS OF LANSING FOR SENDING HER TO THE MICHIGAN MUNICIPAL LEAGUE CONFERENCE. SHE DESCRIBED THE SESSIONS SHE ATTENDED.

COUNCILMEMBER LEEMAN SAID THAT HE, TOO, ATTENDED THE MICHIGAN MUNICIPAL LEAGUE CONVENTION IN MUSKEGON LAST WEEK. HE BROUGHT BACK A LOT OF KNOWLEDGE AND PAPERWORK. THIS WAS A GREAT EDUCATIONAL OPPORTUNITY FOR HIM.

COUNCILMEMBER BEAL ANNOUNCED THAT THE CSO CONSULTANTS, CAMP, DRESSER AND MCKEE WILL MAKE A PRESENTATION TO THE COMMITTEE OF THE WHOLE THIS THURSDAY. THAT PORTION OF THE MEETING WILL BE TELEVISED. SHE WISHED HAPPY BIRTHDAY TO HER MOTHER, AND ANNOUNCED THAT SINCE HER MOM REFUSED TO CELEBRATE HER BIRTHDAY, THEY WILL CELEBRATE JIMMY CARTER'S BIRTHDAY INSTEAD.

### MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

MR. WIENER RESPONDED TO THE QUESTIONS POSED BY LLOYD TEETS WITH REGARD TO THE NEED FOR THE ADOPTION OF THE AMENDMENT READOPTING THE CODIFIED ORDINANCES OF THE CITY. THIS IS BECAUSE OF THE "SUNSETTING" OF CERTAIN ORDINANCES. THE CITY CHARTER "SUNSET" CLAUSE REQUIRES THAT AN ORDINANCE EXPIRES 10 YEARS AFTER IT'S ADOPTION, UNLESS READOPTED PRIOR TO THAT TIME. HE RESPONDED TO COMMENTS MADE BY MR. BOZEK WITH REGARD TO THE BOARD OF POLICE COMMISSIONERS.

HE HAS PERSONALLY ATTENDED MANY MEETINGS OF THE BOARD OF POLICE COMMISSIONERS. THEY MEET IN THE SECOND FLOOR ROOMS OF THE POLICE BUILDING. THE MEETINGS ARE CHAIRED BY THE BOARD CHAIRMAN, NOT BY CHIEF BOLES. HE READ THE PORTION OF THE CITY CHARTER THAT SETS FORTH THE DUTIES OF THE BOARD OF POLICE COMMISSIONERS.

**ADJOURNED 9:00 P.M.  
MARILYNN SLADE, CITY CLERK**





LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF OCTOBER 6, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00  
P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: COUNCILMEMBER BEAL (ARRIVED 8:10  
P.M.)

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED  
BY COUNCILMEMBER NOVAK

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE  
RULES:

I. FROM COUNCILMEMBER LILLY; A RESOLUTION  
REGARDING THE LIABILITY OF MUNICIPAL GOVERNMENTS  
IN FEDERAL COURT ON LAND USE ISSUES

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT  
PART OF THE REGULAR MEETING TO WHICH THEY  
RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES NOTED THAT TODAY IS THE LAST  
DAY FOR VOTER REGISTRATION FOR THE NOVEMBER  
GENERAL ELECTION. ADDITIONALLY, HE NOTED THAT  
WARD ONE, PRECINCTS 14 & 15 ARE THE SUBJECT OF  
A POLLING PLACE LOCATION CHANGE. THEY  
PREVIOUSLY VOTED AT FOSTER COMMUNITY CENTER AND  
WILL BE VOTING AT THE NAVAL RESERVE SATON AT THE  
CORNER OF SAGINAW AND MARSHALL. ONE OTHER  
CHANGE IN PRECINCT LOCATIONS IS THAT THE PRECINCT  
THAT WAS PREVIOUSLY LOCATED AT THE WALTER  
FRENCH ACADEMY, WARD ONE, PRECINCT 7, WILL  
HENCEFORTH BE LOCATED AT THE SOUTH BAPTIST  
CHURCH.

COUNCILMEMBER BAUER ANNOUNCED THAT ON  
THURSDAY, OCTOBER 16, 1997 THE MICHIGAN  
CAPITAL GIRL SCOUT COUNCIL WILL HOLD THEIR DINNER  
HONORING SCOUTS WHO HAVE ACHIEVED THEIR GOLD  
AWARD. TICKETS FOR THIS EVENT ARE AVAILABLE  
THROUGH THE GIRL SCOUT SERVICE CENTER. ON  
SATURDAY, OCTOBER 18, 1997, THE COMMUNITY  
WIDE HEART WALK WILL BE HELD. FUNDS RAISED WILL  
GO TO THE AMERICAN HEART ASSOCIATION FOR CARDIAC  
RESEARCH. INTERESTED PARTIES CAN CALL THE  
AMERICAN HEART ASSOCIATION'S 5K WALK, OR THEY  
CAN CONTRIBUTE BY PLEDGING TO HER WALK.  
INTERESTED PERSONS MAY CALL CITY COUNCIL OFFICES  
AT 483-4177. ON SUNDAY OCTOBER 19, THE  
WESTSIDE NEIGHBORHOOD ASSOCIATION WILL HOLD  
THEIR HOME TOUR. THE PROCEEDS FROM THIS EVENT  
WILL BE DONATED TO THE ADVENT HOUSE. HISTORIC  
HOMES ON THE WESTSIDE WILL BE INCLUDED IN THE  
TOUR AND OPEN FOR PUBLIC INSPECTION.

COUNCILMEMBER ALLEN ANNOUNCED THAT SHE HAS  
BEEN WORKING ON COMPLAINTS FROM CONSTITUENTS  
REGARDING FOOTBALL FANS PARKING IN RESIDENTIAL  
AREAS AROUND EVERETT HIGH SCHOOL. THE POLICE  
ARE PATROLLING THIS AREA AND DOING A GREAT JOB.  
THEY ISSUED MORE THAN 33 PARKING TICKETS IN THIS  
AREA LAST FRIDAY NIGHT ALONE. SHE EXPRESSED HER  
APPRECIATION TO THE POLICE DEPARTMENT. SHE  
ANNOUNCED THAT THE LEAGUE OF WOMEN VOTERS WILL  
INTERVIEW THE CANDIDATES FROM THE SECOND WARD  
ON WEDNESDAY, OCTOBER 15, 1997, AT GARDENER  
MIDDLE SCHOOL. SHE ANNOUNCED THAT THE PUBLIC  
SAFETY COMMITTEE MEETING WILL BE HELD THIS  
WEDNESDAY AT 3:00 P.M. SHE SAID THAT SHE WAS  
NOT MADE AWARE OF THE MEETING THAT WAS HELD LAST  
EVENING AT THE SOUTH SIDE POLICE PRECINCT WITH  
THE NAACP. SHE HAD ASKED THAT SHE BE NOTIFIED  
OF ALL OF THESE MEETINGS, AND WOULD LIKE AN  
EXPLANATION AS TO WHY SHE WAS NOT NOTIFIED. SHE  
REPORTED RECEIVING MORE CALLS ABOUT THE MT.  
HOPE CEMETERY GATES. SHE INQUIRED AS TO THE  
NUMBER OF CITY CARS THAT ARE ASSIGNED TO CITY  
EMPLOYEES, AND HOW MANY ARE AUTHORIZED TO TAKE  
CITY CARS HOME AT NIGHT.

COUNCILMEMBER LILLY ANNOUNCED A TIME CHANGE FOR  
THE DEVELOPMENT AND PLANNING COMMITTEE MEETING  
THIS WEEK. THEY WILL MEET AT 3:00 P.M. RATHER  
THAN 4:00 P.M.

COUNCILMEMBER NOVAK ANNOUNCED THAT THE HOUSING  
RESOURCE CENTER WILL SPONSOR FREE HOME



MAINTENANCE SEMINARS THIS FALL. INTERESTED PARTIES CAN CALL 487-6051 FOR MORE INFORMATION.

COUNCILMEMBER BENAVIDES CONFIRMED THE REGULARLY SCHEDULED GENERAL SERVICES COMMITTEE MEETING THIS TUESDAY AT 9:00 A.M. THEY HAVE A VERY LARGE AGENDA, AND ANYONE HAVING BUSINESS BEFORE THE COMMITTEE IS URGED TO ATTEND.

MAYOR HOLLISTER RESPONDED TO COUNCILMEMBER ALLEN'S COMMENTS ABOUT THE MEETING BETWEEN THE BOARD OF POLICE COMMISSIONERS AND THE NAACP, EXPLAINING THAT THE MEETING THAT WAS HELD AT THE SOUTH SIDE POLICE PRECINCT WAS CALLED BY THE NAACP.

HE ANNOUNCED THAT DARIO MEDRANO HAS BEEN SELECTED BY THE SGMA FOR THE STATE OF MICHIGAN "HERO AWARD". HE WILL RECEIVE A CASH AWARD OF \$100, AND HIS GROUP, THE LOS DARIOS CLUB DE BOXEO WILL RECEIVE AN AWARD OF \$400. ADDITIONALLY, USA TODAY WILL FEATURE HIM IN AN ARTICLE THAT WILL RECEIVE NATIONAL RECOGNITION. HE WILL BE INCLUDED IN A NATIONAL SELECTION BETWEEN THE TOP THREE STATE WINNERS. THIS SELECTION WILL BE MADE SOMETIME IN OCTOBER.

THE MAYOR ANNOUNCED THAT HE HAS A SUPPLEMENT TO THE 13 POINT PLAN THAT HE PLACED ON TONIGHT'S AGENDA. THE BOARD OF POLICE COMMISSIONERS UPDATED THEIR PROCEDURES AND POLICIES FOR PUBLIC CONTACT, AND THERE IS A NEW COMPLAINT PROCESS UNDERWAY. THE SUPPLEMENT THAT HE IS DISTRIBUTING SUMMARIZES THE MATERIAL CONTAINED IN THE PACKET.

► SPECIAL CEREMONIES

A. MARK SCHAUER PRESENTED A PROCLAMATION ADOPTED BY THE CITY OF BATTLE CREEK DECLARING OCTOBER 12-18 AS SOJOURNER TRUTH WEEK IN MICHIGAN. HE PRESENTED A PICTURE OF Ms. TRUTH, A GIFT FROM THE CITY OF BATTLE CREEK, TO MAYOR HOLLISTER, AND ASKED THAT IT BE HUNG WHERE THE PEOPLE OF LANSING CAN LEARN MORE ABOUT HER LIFE AND WORDS. MICHAEL EVANS SAID THAT HE WAS BORN AND RAISED IN BATTLE CREEK, SOJOURNER'S HOME. HE INVITED EVERYONE TO CELEBRATE THE RENOVATION OF THE SOJOURNER TRUTH INSTITUTE OF BATTLE CREEK WITH THEM. THEA LATHAM, CHAIR OF THE BATTLE CREEK NATIONAL WOMEN'S CONFERENCE SAID THAT THEY WILL FEATURE SOJOURNER TRUTH AT THIS YEAR'S CONFERENCE. THEY WILL HAVE OVER 14 SEPARATE EVENTS INCLUDING MORE THAN 25 SPEAKERS, MORE THAN 14 OF WHOM, ARE NATIONALLY ACCLAIMED. THE EVENTS WERE CHOSEN BASED ON THE PREMISE OF "WHAT WOULD SOJOURNER TRUTH HAVE WANTED". THE CONFERENCE IS A WOMAN'S CONFERENCE, BUT IT IS

OPEN TO MEN. MORE INFORMATION IS AVAILABLE BY CALLING (616) 372-6970.

COUNCILMEMBER BAUER INTRODUCED RON WILSON, COUNCIL'S LEGISLATIVE RESEARCH ANALYST, WHO HAS BEEN WITH THEM FOR APPROXIMATELY ONE MONTH.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF THE ISSUANCE OF ORDERS FOR MAKE-SAFE OR DEMOLISH FOR PROPERTIES LOCATED:

-708 BAKER  
-1230 E. MAIN  
-1312 W. IONIA

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

COUNCILMEMBER ALLEN ANNOUNCED THAT THIS ISSUE WILL BE TAKEN UP AT THIS THURSDAY'S MEETING OF THE PUBLIC SAFETY COMMITTEE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

THERE WERE NO PUBLIC SPEAKERS ON LEGISLATIVE MATTERS.

**LEGISLATIVE MATTERS  
RESOLUTIONS**

**RESOLUTION #535**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, OCTOBER 27, 1997, AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF OPPOSING AND/OR APPROVING THE PROPOSED SPECIAL LAND USE PERMIT, SLU-6-97, BY MICHAEL MARKEY, REPRESENTING PASTOR RICHARD MURCHISON OF NEW COMMUNITY TABERNACLE CHURCH, TO BUILD A 4,800 SQ. FT. CHURCH TO ACCOMMODATE UP TO 80 MEMBERS ON THE VACANT 2.3 ACRE PARCEL BETWEEN 1732 AND 1716 W. JOLLY ROAD IN THE "X" RESIDENTIAL DISTRICT.

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:



YEAS: ALLEN, BAUER, BENAVIDES, JONES, LEEMAN,  
LILLY, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBER BEAL

**RESOLUTION #536**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, OCTOBER 27, 1997, AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF OPPOSING AND/OR APPROVING THE PROPOSED SPECIAL LAND USE PERMIT, SLU-8-97, A REQUEST BY THE COMMUNITY MENTAL HEALTH BOARD OF CLINTON, EATON AND INGHAM COUNTIES TO CONSTRUCT A 73,000 SQ. FT. OFFICE BUILDING ON PROPERTY LOCATED ON THE SOUTH SIDE OF THE 800 BLOCK OF EAST JOLLY ROAD. A SPECIAL LAND USE PERMIT IS REQUIRED TO CONSTRUCT A STRUCTURE WHICH IS TO BE USED BY A GOVERNMENTAL ENTITY IN THE "X" RESIDENTIAL DISTRICT.

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBER BEAL

**RESOLUTION #537**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, OCTOBER 27, 1997, AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF OPPOSING AND/OR APPROVING THE PROPOSED SPECIAL LAND USE PERMIT, SLU-10-97, BY MARSHALL HUDSON, REPRESENTING LANSING CHURCH OF GOD IN CHRIST, TO BUILD AN ADDITION ONTO THE CHURCH AT 5304 WISE ROAD THAT WILL EXTEND INTO PART OF A VACANT 10-ACRE PARCEL SOUTH OF THE EXISTING CHURCH ZONED "A" RESIDENTIAL DISTRICT.

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: COUNCILMEMBER BEAL

**RESOLUTION #538**

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED VICTORIA SCHADE EARHART, 301 N. SYCAMORE, TO THE BOARD OF ZONING APPEALS, FOR A TERM TO EXPIRE JUNE 30, 1998; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF VICTORIA SCHADE EARHART TO THE BOARD OF ZONING APPEALS FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #539**

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL ON SEPTEMBER 2, 1997, APPROVED THE ESTABLISHMENT OF A STUDY COMMITTEE PURSUANT TO CHAPTER 1220 OF THE LANSING CODE OF ORDINANCES TO CONDUCT A STUDY AND MAKE REPORTS AND RECOMMENDATIONS FOR A PROPOSED HISTORIC DISTRICT; AND

WHEREAS, THE LANSING CITY COUNCIL, AT ITS SEPTEMBER 2, 1997 MEETING, IN RESOLUTION #481, ALSO APPROVED BOUNDARIES FOR SUCH A STUDY, AS SET FORTH IN CHAPTER 1220 OF THE LANSING CODE OF ORDINANCES, BASED ON A MAP ATTACHED TO THE RESOLUTION LABELED ATTACHMENT "A", WHICH BOUNDARIES THE CITY COUNCIL WISHES TO SPECIFICALLY IDENTIFY BY A WRITTEN DESCRIPTION; AND

WHEREAS, SECTION 1220.13(B) OF CHAPTER 1220 PROVIDES THAT THE STUDY COMMITTEE SHALL HAVE



LOCAL HISTORIC ORGANIZATION REPRESENTATION AND SHALL CONTAIN A MAJORITY OF PERSONS WHO HAVE A CLEARLY DEMONSTRATED INTEREST IN OR A KNOWLEDGE OF HISTORIC PRESERVATION. THE CHAPTER FURTHER PROVIDES THAT THE MAYOR SHALL, WITH CONFIRMATION FROM THE CITY COUNCIL, MAKE THE APPOINTMENTS TO THE STUDY COMMITTEE:

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT THE FOLLOWING PERSONS APPOINTED BY THE MAYOR TO THE STUDY COMMITTEE ARE HEREBY CONFIRMED:

1. GLEN BACHELDER
2. TODD BRANSTNER
3. LISA CAREY
4. JUDITH CORLETT
5. PAULA CUNNINGHAM
6. RON KOENIG
7. JANET KREGER
8. ANTONIA MIERNIK
9. FATHER GEORGE MICHALEK
10. ROBERT MORRIS
11. ROGER NEWCOMB
12. STEPHANIE WHITBECK
13. DONNA BROCKWELL (ALTERNATE)
14. DAVID MUYLLE (ALTERNATE)

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL ADOPT THE FOLLOWING WRITTEN DESCRIPTION OF THE BOUNDARIES OF THE STUDY AREA TO COINCIDE WITH ATTACHMENT "A" FROM RESOLUTION #481

1: CAPITOL HISTORIC AREA STUDY COMMITTEE BOUNDARIES

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF SAGINAW STREET (M-43) AND CAPITOL AVENUE; THENCE WEST ALONG THE CENTERLINE OF SAGINAW STREET TO THE INTERSECTION OF PINE STREET; THENCE SOUTH ALONG AND INCLUDING THOSE PROPERTIES WITH FRONTAGE ON THE WEST SIDE OF PINE STREET TO A POINT 66 FEET SOUTH OF THE SOUTH ROW LINE OF W. GENESEE STREET; THENCE WEST TO A POINT 60 FEET WEST OF THE WEST LINE OF SYCAMORE STREET; THENCE SOUTH 198 FEET TO THE NORTH LINE OF THE PROPERTIES FRONTING ON THE NORTH SIDE OF THE 700-800 BLOCKS OF W. SHIAWASSEE STREET, THENCE WEST TO THE INTERSECTION WITH THE CENTERLINE OF N. BUTLER BLVD., THENCE SOUTH ALONG SAID CENTERLINE TO THE SOUTH ROW LINE OF W. SHIAWASSEE STREET; THENCE WEST TO THE EAST ROW LINE OF N. DR. MARTIN LUTHER KING, JR. BOULEVARD; THENCE SOUTH TO THE CENTERLINE OF W. ALLEGAN STREET; THENCE EAST ALONG SAID CENTERLINE TO THE INTERSECTION OF THE CENTERLINE OF S. PINE STREET; THENCE SOUTH ALONG SAID CENTERLINE TO THE NORTH ROW LINE OF ST. JOSEPH STREET; THENCE EAST ALONG THE NORTH ROW LINE TO

THE BANK OF THE GRAND RIVER; THENCE NORTH/NORTHWEST ALONG THE BANK OF THE GRAND RIVER TO THE CENTERLINE OF THE E. LENAWEE STREET EXTENDED; THENCE ALONG SAID CENTERLINE TO A POINT 165 FEET WEST OF THE WEST ROW LINE OF S. WASHINGTON AVENUE; THENCE NORTH TO THE CENTERLINE OF KALAMAZOO STREET, THENCE WEST ALONG SAID CENTERLINE TO THE CENTERLINE OF CAPITOL AVENUE; THENCE NORTH ALONG SAID CENTERLINE TO A POINT ON THE SOUTH PROPERTY LINE OF LOT 10, BLOCK 69, ORIGINAL PLAT (COMMONLY KNOWN AS 520 N. CAPITOL AVENUE); THENCE EAST 165 FEET, THENCE NORTH 198 FEET, THENCE WEST 214.5 FEET TO THE CENTERLINE OF CAPITOL AVENUE, THENCE NORTH TO THE POINT OF BEGINNING; T4N, R2W, CITY OF LANSING, INGHAM COUNTY MICHIGAN. EXCEPT PARCEL NUMBER 3301-16-381-01 1, COMMONLY KNOWN AS 525 S. CAPITOL AVENUE, AND MORE PARTICULARLY DESCRIBED AS: THAT PORTION OF LOT 8 BEGINNING AT THE NORTH WEST CORNER OF LOT 8, THENCE SOUTH 44 FEET, THENCE EAST 77 FEET, THENCE NORTH 12 FEET, THENCE EAST 44 FEET, THENCE NORTH 32 FEET, THENCE WEST 121 FEET TO THE POINT OF BEGINNING; BLOCK 14, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

By COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: COUNCILMEMBER LILLY

~~THIS RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY~~

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

SLU-4-97

625 W. SHERIDAN ROAD

PARKING LOT IN "N" RESIDENTIAL DISTRICT

WHEREAS, PASTOR NATHANIEL WHITT HAS REQUESTED A SPECIAL LAND USE PERMIT (SLU-4-97) TO ALLOW 63 PARKING SPACES TO BE CREATED AT THE WEST END OF PROPERTY LOCATED AT 625 W. SHERIDAN ROAD FOR THE ZION HILL HOLY MISSIONARY BAPTIST CHURCH. THE PROPERTY IS ZONED "N" RESIDENTIAL WHICH ALLOWS PARKING LOTS SUBJECT TO THE APPROVAL OF A SPECIAL LAND USE PERMIT. THE CHURCH, WHICH IS NONCONFORMING '... 9 SINCE IT IS ON LAND LESS THAN THE REQUIRED TWO ACRES, WAS GIVEN CLASS "A" STATUS BY THE PLANNING BOARD TO ALLOW FOR AN



EXPANSION OF THE BUILDING, TO ACCOMMODATE A TOTAL OF 187 PEOPLE, AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING FOR THE SPECIAL LAND USE PERMIT ON JULY 1, 1997, WHERE THE PETITIONER PASTOR NATHANIEL WHITT AND HIS WIFE GEORGIA SPOKE IN SUPPORT OF THE PETITION, AND NO ONE SPOKE IN OPPOSITION, AND THE APPROVED MINUTES OF SAID PLANNING BOARD MEETING ARE ON FILE IN THE CITY CLERK'S OFFICE, AND

WHEREAS, THE PLANNING BOARD REVIEWED THE PETITION AND ON JULY 15, 1997 UNANIMOUSLY (6-0) RECOMMENDED APPROVAL OF THE PETITION SUBJECT TO THE FOLLOWING CONDITIONS: (1) OIL RUN-OFF FROM THE PARKING LOT SHALL BE COLLECTED ON-SITE AND NOT DIRECTED INTO JONES LAKE- (2) LIGHTING OF THE PARKING LOT SHALL BE DIRECTED AWAY FROM ANY NEARBY RESIDENTIAL PROPERTIES; AND (3) AN ACCEPTABLE LANDSCAPE, SCREENING AND BUFFERING PLAN SHALL BE SUBMITTED, APPROVED AND DEVELOPED THAT WILL SCREEN THE VIEWS FROM RESIDENTIAL PROPERTIES TO THE NORTH, SOUTH, AND EAST OF THE PARKING LOT. THIS PLAN SHALL ALSO INCORPORATE NATURALIZED PLANTING MATERIALS IN THE STORM WATER DETENTION AREA TO HELP REMOVE POLLUTANTS FROM RUN-OFF WATER, AND

WHEREAS, THE MAYOR CONCURS IN THE RECOMMENDATION OF THE PLANNING BOARD, AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON THE REQUEST OF THE ZION HILL HOLY MISSIONARY BAPTIST CHURCH FOR A SPECIAL LAND USE PERMIT ON AUGUST 25, 1997, AND

WHEREAS, THE DEVELOPMENT AND PLANNING COMMITTEE OF CITY COUNCIL HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND UNANIMOUSLY RECOMMENDED THE REQUEST WITHOUT CONDITION,

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVES THE SPECIAL LAND USE REQUEST (SLU-4-97) BY ZION HILL HOLY MISSIONARY BAPTIST CHURCH TO ALLOW 63 PARKING SPACES TO BE CREATED AT THE WEST END OF PROPERTY LOCATED AT 625 W. SHERIDAN ROAD TO ACCOMMODATE AN EXPANSION OF THE CHURCH, AND

BE IT FINALLY RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

- ▶ THE PROPOSED SPECIAL LAND USE IS HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND SURROUNDING USES. THE USE OF THE PROPERTY FOR PARKING TO ACCOMMODATE THE CHURCH WILL NOT HAVE A NEGATIVE EFFECT ON ADJACENT

PROPERTIES.

- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY, WHICH IS SINGLE FAMILY RESIDENTIAL.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTIES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT BE HAZARDOUS TO ADJACENT PROPERTIES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT PLACE ANY DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITIES.
- ▶ THE PROPOSED SPECIAL LAND USE IS CONSISTENT WITH THE INTENT OF THE ZONING CODE AND OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN.

*THERE WAS NO MOTION FOR ADOPTION OF THE PRECEDING RESOLUTION, IT WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY*

RESOLUTION #540  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-23-96

STANLEY STREET RELEASE OF BOARD OF WATER & LIGHT JURISDICTION

WHEREAS, THE BOARD OF WATER AND LIGHT (BOARD OF WATER & LIGHT) ON JULY 30, 1951 BY RESOLUTION OF THE LANSING CITY COUNCIL WAS TRANSFERRED JURISDICTION OF A CERTAIN PARCEL OF PROPERTY FROM THE CITY TO BE USED FOR BOARD OF WATER & LIGHT OPERATIONS; AND

WHEREAS, BOARD OF WATER & LIGHT ON AUGUST 26, 1997 PASSED A RESOLUTION (97-8- 1) DECLARING SAID TRANSFERRED PROPERTY, COMMONLY KNOWN AS THE STANLEY STREET METERING STATION, TO BE SURPLUS PROPERTY AND NOT REQUIRED FOR BOARD OF WATER & LIGHT OPERATIONS; EXCEPT FOR BOARD OF WATER & LIGHT RETENTION OF JURISDICTION FOR ACCESS TO INSPECT, MAINTAIN, REPLACE, INSTALL, ETC. THE CONTROL, SIGNAL AND POWER CABLES LOCATED WITHIN SAID PROPERTY AND INCLUDING THE METERING STATION CABLES AND EQUIPMENT LOCATED IN THE SUBSURFACE BASEMENT OF THE BUILDING ON THE PROPERTY; AND

WHEREAS, THE PLANNING BOARD CONDUCTED AN ACT



285 REVIEW (ACT-23-96) OF THE PROPERTY FOR CHARACTER, LOCATION AND EXTENT OF THE SUBJECT PARCEL IN CONJUNCTION WITH POSSIBLE PRIVATE USE THEREOF BY AIRTOUCH CELLULAR TELEPHONE AND RECOMMENDS APPROVAL OF THE PROPOSED USE, WHICH REQUIRES RETURN OF JURISDICTION (WITH EXCEPTION) OF SAID PROPERTY TO CITY JURISDICTION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONCURS THAT THE FOLLOWING DESCRIBED PROPERTY IS NO LONGER REQUIRED TO CONTINUE THE OPERATION OF THE BOARD OF WATER & LIGHT AND APPROVES THE RELEASE OF BOARD OF WATER & LIGHT JURISDICTION THEREOF, WHICH RETURNS THE PROPERTY TO THE GENERAL JURISDICTION OF THE CITY:

BEGINNING AT A POINT ON THE EAST LINE OF THE LANSING MANUFACTURER'S RAILROAD RIGHT OF WAY, 1175 FEET NORTH OF THE CENTER LINE OF SAGINAW STREET, THENCE EAST 50 FEET, THENCE NORTH AND NORTHEASTERLY PARALLEL TO THE EAST RAILROAD RIGHT OF WAY LINE (APPROXIMATELY 150 FEET) TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, T4N, R2W, THENCE 50 FEET WEST TO THE LANSING MANUFACTURER'S RIGHT OF WAY, THENCE SOUTHWESTERLY AND SOUTH TO THE POINT OF BEGINNING;

SUBJECT TO BOARD OF WATER & LIGHT RETENTION OF JURISDICTION FOR ACCESS TO INSPECT, MAINTAIN, REPLACE, INSTALL, ETC. THE CONTROL, SIGNAL AND POWER CABLES LOCATED WITHIN SAID, PROPERTY, INCLUDING WITHOUT LIMITATION THE METERING STATION CABLES AND EQUIPMENT LOCATED IN THE SUBSURFACE BASEMENT OF THE BUILDING ON THE PROPERTY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #541**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
THAT THE FOLLOWING FY 98 TRANSFER BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT. #	TRANSFER TO ACCT. #
\$20,000	EST REV-STATE & FEDERAL PROG 273-0-170001-0	N SIDE NETWORK/FIA/SFSC 273-343200-745100- 17720

(FEDERAL PASS THROUGH FROM STRONG FAMILIES-SAFE CHILDREN PROGRAM THROUGH STATE FAMILY

INDEPENDENCE AGENCY FOR 6 MONTHS RENT/RELATED OPERATING OF NANDY HOUSE AT SCHOOL FOR THE BLIND AS NORTHSIDE NETWORK CENTER. REVENUE DETAIL ACCOUNT 273-0-579401-17720.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #542**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED ROSEMARIE AQUALINA, 1825 CHESTER, TO THE BOARD OF WATER AND LIGHT BOARD OF COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 2001; AND

WHEREAS, THE COMMITTEE OF THE WHOLE HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF ROSEMARIE AQUALINA, 1825 CHESTER, TO THE BOARD OF WATER AND LIGHT BOARD OF COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #543**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED CHARLES CREAMER, 3016 S. CAMBRIDGE, TO THE BOARD OF WATER AND LIGHT BOARD OF COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 1998; AND

WHEREAS, THE COMMITTEE OF THE WHOLE HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF CHARLES CREAMER, 3016 S. CAMBRIDGE, TO THE BOARD OF WATER AND LIGHT BOARD OF COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #544**



RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, HR 1534 AND S 1204 WOULD ALLOW DEVELOPERS AND OTHER CLAIMANTS TO SUE LOCAL GOVERNMENTS IN FEDERAL COURT WITHOUT FIRST PURSUING THE CLAIMS IN STATE COURT; AND

WHEREAS, HR 1534 AND S 1204 WOULD ALLOW DEVELOPERS TO PURSUE THEIR TAKINGS CLAIMS AGAINST LOCAL GOVERNMENT IN FEDERAL COURT EVEN IF THE CASE IS NOT "RIPE" BECAUSE THE GOVERNMENT HAS NOT REACHED A "FINAL DECISION" REGARDING THE APPLICATION OF THE REGULATION TO THE PROPERTY AT ISSUE; AND

WHEREAS, HR 1534 AND S 1204 WOULD CHANGE THE STANDARDS THAT CURRENTLY GOVERN FEDERAL COURTS TO DEFER TO STATE COURTS WHEN CONFRONTED WITH LEGAL CHALLENGES TO LOCAL LAND USE DECISIONS; AND

NOW THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL OPPOSES HR 1534 AND S 1204 AND URGES OUR CONGRESSIONAL DELEGATION TO VOTE AGAINST THEIR PASSAGE; AND

BE IT FURTHER RESOLVED THE CITY CLERK IS DIRECTED TO MAIL COPIES OF THIS RESOLUTION TO THE MICHIGAN CONGRESSIONAL DELEGATION.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**ORDINANCES FOR INTRODUCTION**

INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-14-97, 233-235 N. PINE ST., "D-2"  
RESIDENTIAL/OFFICE TO "D-1" PROFESSIONAL  
OFFICE DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

**RESOLUTION #545**  
BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF

THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, NOVEMBER 3, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-14-97, 233-235 N. PINE ST., "D-2"  
RESIDENTIAL/OFFICE TO "D-1" PROFESSIONAL  
OFFICE DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-16-97, 113 PERE MARQUETTE, "H" LIGHT  
INDUSTRIAL TO "G-1" BUSINESS DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

**RESOLUTION #546**  
BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, NOVEMBER 3, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-16-97, 113 PERE MARQUETTE, "H" LIGHT  
INDUSTRIAL TO "G-1" BUSINESS DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING,



MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-17-97, 1060 N. CEDAR ST., "C"  
RESIDENTIAL TO "H" LIGHT INDUSTRIAL  
DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

**RESOLUTION #547**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, NOVEMBER 10, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-17-97, 1060 N. CEDAR ST., "C"  
RESIDENTIAL TO "H" LIGHT INDUSTRIAL  
DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**INTRODUCTION OF ORDINANCES**

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-18-97, VACANT LAND ON COLLINS RD., "A"  
RESIDENTIAL AND "D-1" PROFESSIONAL OFFICE  
DISTRICTS TO "F" COMMERCIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

**RESOLUTION #548**

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, NOVEMBER 10, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-18-97, VACANT LAND ON COLLINS RD., "A"  
RESIDENTIAL AND "D-1" PROFESSIONAL OFFICE  
DISTRICTS TO "F" COMMERCIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**ORDINANCES FOR PASSAGE**

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

CARRIED UNANIMOUSLY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-12-97; 101-121 E. GRAND RIVER AVE., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-12-97; 101-121 E. GRAND RIVER AVE., BE NOW PASSED



## OTHER BUSINESS

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

ORDINANCE #2416

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246-02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-1 2-97, 101-121  
E. GRAND RIVER AVE.

PARCEL NUMBERS: PPN 3301-09-256-  
062

LEGAL DESCRIPTION: THE SOUTH 80 FT OF  
LOT 2, LOT 3 AND  
THE SOUTH 14 FT OF  
LOT 4, BLOCK 32,  
ORIGINAL PLAT, CITY  
OF LANSING, INGHAM  
COUNTY, MICHIGAN.

FROM "F-1" COMMERCIAL DISTRICT TO "G-1" BUSINESS DISTRICT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE,  
CITY CLERK

COUNCILMEMBER LILLY LEFT THIS MEETING OF THE LANSING CITY COUNCIL AT 8:00 P.M.

► PUBLIC COMMENT ON CITY RELATED MATTERS

FRANK CURTIS "X" SAID THAT HE IS TIRED OF PEOPLE MAKING CLOWNS OF THEIR KIDS. THE BLACK MAN IS NOT RECEIVING PROPER REPRESENTATION IN THIS COUNTRY.

JAYE WEST, NO DECIPHERABLE ADDRESS GIVEN, GAVE AN UNINTELLIGIBLE SPEECH.

WILLY WILLIAMS OF 505 W. LENAWEE REPORTED THAT COUNCILMEMBER LILLY EXITED AN ELEVATOR CAR AND REFUSED TO OCCUPY IT WITH HIM UPON BEING QUESTIONED ABOUT LEAVING CITY COUNCIL MEETINGS EARLY. HE STATED THAT HE WOULD LIKE TO SEE ALL COUNCILMEMBERS AT ALL OF THE CITY COUNCIL MEETINGS UNTIL ADJOURNMENT.

REVEREND ANDREW BRODIE OF 1114 GLENN ST. URGED CITIZENS TO VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT ISSUE AT THE NOVEMBER 1997 GENERAL ELECTION.

GENE BUCKLEY OF HAYFORD ST. SAID THAT HE HAS BEEN ACTIVE IN THE PAST ON SIGN TRASH THROUGHOUT OUR CITY. IN THE LAST 2½ YEARS HE HAS SPENT HUNDREDS OF HOURS AND DOLLARS IN GAS TAKING SIGN TRASH DOWN. THIS IS ACTUALLY COMMERCIAL ADVERTISING IN THE PUBLIC RIGHT-OF-WAY. HE HAS NOT RECEIVED ANY SUPPORT IN HIS ENDEAVOR. HE REQUESTED POSITIVE ACTION, ADDRESSING THIS PROBLEM, BY CITY COUNCIL. HE HAS OFFERED TO VOLUNTEER AS A SIGN ENFORCEMENT OFFICER. HE WOULD LIKE TO DESIGN A "GARAGE SALE TYPE OF SIGN" THAT IS MORE ENVIRONMENTALLY FRIENDLY AND THAT IS CHARGED AN ANNUAL FEE.

COUNCILMEMBER LEEMAN ASKED MR. WIENER TO WORK ON THE ISSUE BROUGHT FORTH BY MR. BUCKLEY. IT IS TIME THAT THE CITY DID SOMETHING ABOUT THIS PROBLEM SO THAT ONE MAN DOES NOT HAVE TO WORK ON IT ALONE.

DERRICK QUINNEY OF 2010 WELLESLEY DR. SAID THAT HIS NAME WAS SUBMITTED BY MAYOR HOLLISTER FOR APPOINTMENT TO THE BOARD OF POLICE COMMISSIONERS IN AUGUST. HE WAS CALLED IN AUGUST AND ASKED TO ATTEND A MEETING OF THE PUBLIC SAFETY COMMITTEE ON SEPTEMBER 18, 1997. SUBSEQUENTLY, HIS NAME WAS WITHDRAWN FROM CONSIDERATION AT THE REQUEST OF PRESIDENT BEAL. HE SAID THAT HE HAS BEEN CALLING PRESIDENT BEAL FOR THREE WEEKS RUNNING, AND HAS NOT RECEIVED RETURN CALLS FROM HER. HE SPECULATED THAT THE REASON THAT HIS NAME WAS WITHDRAWN FROM CONSIDERATION IS THAT HE SAT ON THE EOCC (ELECTED OFFICERS COMPENSATION COMMISSION) WHEN THEY



CONSIDERED PAY RATE INCREASES FOR COUNCILMEMBERS. HE APPEALED TO COUNCILMEMBERS ALLEN AND BEAL FOR AN EXPLANATION AS TO THE WITHDRAWAL OF HIS NAME FROM CONSIDERATION, AND ASKED THAT HIS INTERVIEW BE RESCHEDULED. HE CAN BE REACHED AT 371-2415.

LEROY MCKNIGHT, OF HOLIDAY LN. SAID THAT THE BOARD OF POLICE COMMISSIONERS HAS BEEN A FOCAL POINT FOR ORGANIZED LABOR SINCE THE MELLING FORGE TEAR GAS INCIDENT IN MAY. THE UAW CAP COUNCIL RECOMMENDED THE APPOINTMENT OF DERRICK QUINNEY TO THIS BOARD. HE DEMANDED TO KNOW WHY PRESIDENT BEAL HAS THIS RECOMMENDATION PULLED. MR. QUINNEY IS AN AFRICAN AMERICAN, AS WELL AS A UAW LEADER AND PRESIDENT OF THE PHILIP RANDOLPH FOUNDATION. HE ASKED WHAT POSSIBLE REASON PRESIDENT BEAL COULD HAVE FOR NOT WANTING TO APPOINT HIM TO THE BOARD OF POLICE COMMISSIONERS. HE ASKED THAT SHE RESPOND IN WRITING TO THE ATTENTION OF BRUCE MCATEE AT 1010 RIVER STREET.

COUNCILMEMBER BEAL ENTERED THIS MEETING OF THE LANSING CITY COUNCIL AT 8:10 P.M. AND RESPONDED TO THE COMMENTS OF MR. QUINNEY AND MCKNIGHT

COUNCILMEMBER BEAL STATED THAT HER INTEREST IN THE APPOINTMENT OF MR. QUINNEY STEMMED FROM THE FACT THAT SHE HAD RECOMMENDED A CANDIDATE TO MAYOR HOLLISTER FOR APPOINTMENT TO THE POLICE BOARD. THIS PERSON IS A MIDDLE SCHOOL TEACHER FROM GARDENER, AN AFRICAN AMERICAN WITH IMMINENT QUALIFICATIONS. ADDITIONALLY, SHE WAS CONCERNED ABOUT MR. QUINNEY'S ACTIVE WORK IN CAMPAIGNING FOR MAYOR HOLLISTER. THE BOARD OF POLICE COMMISSIONERS SHOULD BE APPOINTED FROM PEOPLE WHO ARE INDEPENDENT OF THAT TYPE OF POLITICAL AFFILIATION.

COUNCILMEMBER ALLEN STATED THAT SHE ROUTINELY PULLS ITEMS OUT OF CONSIDERATION FOR HER COLLEAGUES WHEN SHE IS ASKED. SHE IS WILLING TO TAKE THE ISSUE OF THE APPOINTMENT OF MR. QUINNEY BACK TO COMMITTEE AT ANY TIME. SHE WILL HAVE IT PLACED ON THE AGENDA FOR THIS THURSDAY.

LLOYD TEETS SAID THAT HE ATTENDED THE NAACP MEETING LAST NIGHT AT THE SOUTH SIDE POLICE PRECINCT. THE BOARD OF POLICE COMMISSIONERS WAS PRESENT. MAYOR HOLLISTER NEGLECTED TO MENTION THAT THE LOCAL CHAPTER OF THE NAACP ENDORSES THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. HE SAID THAT THE COMMITTEE OF THE WHOLE INTERVIEW OF THE CSO PROJECT CONSULTANTS CAMP, DRESSER AND MCKEE WILL BE REPLAYED ON CHANNEL 12 THIS WEDNESDAY AT 11:00 A.M. AND ON

THURSDAY AT 9:00 P.M. HE URGED RESIDENTS TO WATCH THESE RE-RUNS. HE CRITICIZED COUNCILMEMBER LEEMAN FOR MAKING CITIZENS DO HIS JOB WITH THE PUBLIC SERVICE DEPARTMENT. HE IS THE PUBLIC SERVICE COMMITTEE CHAIR.

ED SIMMER OF 2609 DIER ASKED WHY THERE IS NO MAJOR MEDIA COVERAGE OF THE CAMPAIGN DEBATES. THERE ARE PLENTY OF PEOPLE IN LANSING WHO DO NOT HAVE CABLE TELEVISION. WHY ARE THEY NOT BEING COVERED BY BROADCAST STATIONS?

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING SAID THAT A NUMBER OF ORGANIZATIONS HAVE ENDORSED THE CITIZENS REVIEW BOARD. HE URGED CITIZENS TO VOTE YES ON THIS BALLOT PROPOSAL. HE SPOKE ABOUT ATTENDING A BOARD OF POLICE COMMISSIONERS MEETING ON SEPTEMBER 16, 1997. HE CANNOT BELIEVE THAT THIS BOARD IS INDEPENDENT OF THE POLICE DEPARTMENT. THEY HAVE NOTHING TO SHOW THAT THEY ARE INDEPENDENT. THIS BOARD REFUSED TO INVESTIGATE HIS COMPLAINT REGARDING THE KILLING OF HIS SON, GARY BOZEK, BY A MEMBER OF THE LPD START TEAM, BECAUSE HE IS NOT A LANSING RESIDENT. HOWEVER, IF THE LANSING POLICE DEPARTMENT START TEAM HAD STAYED IN LANSING, HIS SON WOULD STILL BE ALIVE TODAY.

KELLY PROPER OF 111 E. CAVANAUGH NOTED THAT THE MAYORAL DEBATE WILL BE TELEVISED ON FOX 47 AFTER IT HAS BEEN TAPED. SHE STATED THAT MAYOR HOLLISTER IS HOLDING UP THE SCHEDULING OF A DEBATE ON BROADCAST TV. SHE ADVOCATED THAT RESIDENTS CALL LOCAL NETWORK STATIONS AND LET THEM KNOW HOW IMPORTANT THIS ISSUE IS TO THEM.

CHARLENE DECKER OF 2711 PLEASANT GROVE INVITED EVERYONE TO THE MELLING FORGE STRIKERS FUND RAISER DINNER AND DANCE. THIS EVENT IS TO BE HELD ON OCTOBER 18, 1997 FROM 7:00 TO 12:00 P.M. AT THE UAW LOCAL 724 AT 450 CLARE ST. THE MONEY RAISED AT THIS EVENT WILL BENEFIT THE 60 MEN WHO STRUCK MELLING FORGE WHEN THEIR MEDICAL COVERAGE WAS DROPPED. SHE URGED ATTENDANCE AT THIS EVENT BECAUSE THESE CITIZENS NEED HELP.

LEONA SHERWOOD OF 3130 SOUTH READ AN ARTICLE FROM THE STATE JOURNAL.

KAY CARTER OF 402 CARRIER SAID THAT THE ARTICLE READ BY THE PREVIOUS SPEAKER WAS PRETTY AMUSING. SHE SPOKE IN SUPPORT OF A DEBATE TELEVISED BY THE BROADCAST TV STATIONS. SHE URGED RESIDENTS TO CALL MIKE NICHOLS FROM CHANNEL 10 IN SUPPORT OF THIS PROPOSAL. SHE ANNOUNCED THAT PRESIDENT BEAL WILL BE INTERVIEWED EVERY TUESDAY AT 7:00 P.M.



DOROTHY JONES OF 426 W. BARNES CRITICIZED LOCAL TV STATIONS FOR REFUSING TO COOPERATE TO HELP GET INFORMATION OUT TO THE VOTERS ABOUT CANDIDATES. SHE ACCUSED THE MAYOR OF BEING "BOUGHT OUT BY THE GOOD OLD BOYS NETWORK OF THE RICH AND POWERFUL". THE DEBATE THAT WILL BE ON FOX 47 WILL NOT INCLUDE SCHOOL BOARD CANDIDATES. SHE URGED VOTERS TO WATCH CHANNEL 12 FOR INFORMATION ABOUT CANDIDATES.

### COMMITTEE REPORTS

#### RESOLUTION #549 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING, TO WHOM WAS REFERRED THE REPORT FROM THE MAYOR AND PLANNING BOARD ON REZONING PETITION Z-12-97, 101-121 EAST GRAND RIVER AVENUE FROM "F-1" COMMERCIAL DISTRICT, TO "G-1" BUSINESS DISTRICT.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REZONING BE APPROVED AND THAT THE Z-12-97 ORDINANCE BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER BENAVIDES

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

### CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTER FROM THE BOARD OF WATER & LIGHT REQUESTING CITY COUNCIL CONCURRENCE IN THE DECLARATION OF SURPLUS PROPERTY LOCATED AS FOLLOWS: A 10.8 FOOT PARCEL OF PROPERTY ADJACENT TO 1020 FILLEY ST. WHICH WAS PREVIOUSLY DECLARED SURPLUS BY THE BOARD OF WATER & LIGHT AND AUTHORIZED BY CITY COUNCIL

REFERRED TO THE COMMITTEE ON DEVELOPMENT

AND PLANNING

3. LETTERS FROM THE MAYOR RE:

A. UPDATE ON THE 13 POINT PLAN

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

B. POLICY; CIVILIAN REVIEW

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

C. TRANSFER OF FUNDS; LPD, PLANNING & NEIGHBORHOOD DEVELOPMENT, STATE & FEDERAL PROGRAMS, PUBLIC SERVICE DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. ACT-22-96; PARKING LOT #7, 1132 S. WASHINGTON AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

E. ACCEPTANCE OF PERMANENT SANITARY SEWER EASEMENT FOR PROPERTY LOCATED AT 4200 COLLINS RD. (MICHIGAN STATE POLICE POST)

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. BOARD OF WATER & LIGHT CAPITAL EXPENDITURE FORECAST

REFERRED TO THE INTERNAL AUDITOR

G. CITY OF EAST LANSING'S WITHDRAWAL FROM PARTICIPATION IN THE TRI-COUNTY METRO NARCOTIC SQUAD

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

H. LETTER OF APPRECIATION FROM LU ANN GIBBS TO OFFICER TODD JOHNSON OF LPD

RECEIVED AND PLACED ON FILE

I. LANSING FUND CONTRIBUTION FROM CAROL A. PARRY, OF THE CITY OF E. LANSING

RECEIVED AND PLACED ON FILE

J. LETTER OF APPRECIATION FROM GLENN S. DUNN TO PAT BUSH, TRAFFIC ENGINEER

RECEIVED AND PLACED ON FILE



K. GRANT ACCEPTANCE; R.E.A.C.H. PROGRAM  
CONTINUATION

REFERRED TO THE COMMITTEE ON WAYS AND  
MEANS

#### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED  
AS BEING READ IN FULL AND THAT THE PROPER  
REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. STORMWATER APPEAL OF GALVELLE U. PRICE  
1725 E. JOLLY RD.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

2. NOTICE OF MOTION TO WITHDRAW PETITION FROM  
MICHIGAN TAX TRIBUNAL APPEAL FOR AMERITECH  
SERVICES, INC.

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

3. NOTICE FROM THE STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES OF PERMIT  
#976177 FOR SEWERAGE SYSTEM CONSTRUCTION,  
ISSUED TO THE CITY OF LANSING FOR THE CAPITAL CITY  
AIRPORT - 1997 SERVICE DRIVE IMPROVEMENTS

REFERRED TO THE MAYOR AND THE PUBLIC  
SERVICE DEPARTMENT

4. FREEDOM OF INFORMATION ACT REQUEST FROM  
DARRYL BURGESS, REQUESTING COPIES OF 1953 CITY  
COUNCIL PROCEEDINGS

REFERRED TO THE CITY CLERK

5. NOTICE FROM THE STATE OF MICHIGAN PUBLIC  
SERVICE COMMISSION OF A HEARING FOR THE  
CUSTOMERS OF CONSUMERS ENERGY COMPANY, CASE  
#U-11509

REFERRED TO THE MAYOR

6. NOTICE FROM THE STATE OF MICHIGAN  
DEPARTMENT OF TRANSPORTATION OF LOCAL  
GOVERNMENT MATCHING SHARE IN THE CONSTRUCTION  
PROJECT ALONG HIGHWAY I-96 BL/US-27BR

REFERRED TO THE MAYOR AND THE PUBLIC  
SERVICE DEPARTMENT

7. LETTER FROM CHRISTINE TIMMON OF 335 E. ST.  
JOSEPH REGARDING REVERSE RACISM AND PUBLIC

ASSISTANCE

RECEIVED AND PLACED ON FILE

8. LETTER FROM WILLY WILLIAMS OF 505 W.  
LENAAWEE REGARDING CITY COUNCIL RULES REQUIRING  
ATTENDANCE BY COUNCILMEMBERS AT CITY COUNCIL  
MEETINGS

REFERRED TO THE COMMITTEE OF THE WHOLE

#### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER CONFIRMED THE REGULARLY  
SCHEDULED MEETING OF THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS THIS THURSDAY AT  
9:00 A.M. THEY SHOULD HAVE A SHORT MEETING.

COUNCILMEMBER JONES CONFIRMED THE REGULARLY  
SCHEDULED MEETING OF THE COMMITTEE ON WAYS AND  
MEANS THIS WEDNESDAY AT 4:00 P.M. HE REPORTED  
THAT THE LEAGUE OF WOMEN VOTERS WILL CARRY THE  
DEBATE BETWEEN THE CANDIDATES FOR AT-LARGE CITY  
COUNCIL POSITIONS, TOMORROW, TUESDAY, OCTOBER  
7, 1997 AT 7:30 P.M. AT DWIGHT RICH MIDDLE  
SCHOOL IN THE SOCIAL ROOM.

COUNCILMEMBER ALLEN CLARIFIED THAT THE LEAGUE  
OF WOMEN VOTERS FORUM TOMORROW IS FOR AT-  
LARGE CANDIDATES ONLY.

COUNCILMEMBER LEEMAN SAID THAT MR. TEETS  
COMMENTS WERE UNFAIR TO THE PUBLIC SERVICE  
DEPARTMENT, WHO ARE DOING THE BEST JOB THAT THEY  
CAN. THE PUBLIC SERVICE COMMITTEE IS DOING AN  
OUTSTANDING JOB AND HAS DONE FOR THE PAST TWO  
YEARS ON A VERY DIFFICULT SUBJECT. HE DID NOT  
FEEL THAT MR. TEETS BEHAVIOR WAS APPROPRIATE AT  
LAST THURSDAY'S COMMITTEE OF THE WHOLE MEETING  
WHEN HE WAS "TRASHING" THE CSO PROJECT  
CONSULTANTS.

COUNCILMEMBER BENAVIDES REMINDED MR. WIENER TO  
SPEAK ABOUT HIS GRANDDAUGHTER DURING MAYOR'S  
ASSISTANT'S COMMENTS.

COUNCILMEMBER BEAL SAID THAT THE LEAGUE OF  
WOMEN VOTERS DEBATE THAT IS SCHEDULED FOR  
WEDNESDAY AT GARDENER MIDDLE SCHOOL WILL CARRY  
A MAYORAL DEBATE, AS WELL. SHE CALLED THEM TO  
SEE WHY IT WAS NOT BEING TELEVISED ON THE CABLE  
CHANNEL, AND FOUND THAT IT'S BECAUSE OF A  
PROBLEM THAT OCCURRED IN A JACKSON CITY RACE  
LAST YEAR. APPARENTLY A CANDIDATE IN THAT RACE  
FAILED TO SHOW UP FOR THE DEBATE AND THEY HAD TO  
GIVE HIM EQUAL TIME AFTER THE DEBATE. THERE DOES  
NEED TO BE A DISCUSSION OF THIS ISSUE. MAYOR  
HOLLISTER SHOULD HAVE NO PROBLEM HAVING HIS

RECORD SCRUTINIZED. SHE DISTRIBUTED BOOKLETS ON INTER-SCHOLASTIC SPORTS THAT CREDIT THE CITY OF LANSING WITH FUNDING MANY OF THE MIDDLE SCHOOL SPORTS PROGRAMS. THERE ARE MANY, MANY KIDS INVOLVED IN THESE PROGRAMS. SHE CONFIRMED THE REGULARLY SCHEDULED COMMITTEE OF THE WHOLE MEETING THIS THURSDAY AT 4:00 P.M.

COUNCILMEMBER LEEMAN NOTED THAT THE PUMPKINS AT THE DAIS WERE DONATED BY JOHN DECKER FROM THE CITY MARKET.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER ANNOUNCED THAT HE AND HIS WIFE, WERE BLESSED BY THE BIRTH OF THEIR SECOND GRAND CHILD, ABIGAIL, SIX WEEKS AGO. HE ANNOUNCED THAT THE HEART ASSOCIATION WALK NEXT SUNDAY, OCTOBER 12, 1997 WILL BEGIN AT 2:00 P.M. AT DWIGHT RICH MIDDLE SCHOOL, WITH REGISTRATION AT 1:00 P.M. THE ENTIRE WALK IS 10K, BUT IT CAN BE CUT DOWN TO 5K. MAYOR HOLLISTER IS ENCOURAGING PARTICIPATION IN THE MELLING FORGE STRIKERS FUND RAISER. IN FACT, TICKETS ARE AVAILABLE IN THE MAYOR'S OFFICE. HE DECLINED TO COMMENT ON THE ISSUE OF THE DEBATES, EXCEPT TO SAY, THAT THERE HAVE ALREADY BEEN SEVERAL SCHEDULED. THE JAYCEES DEBATE WILL BE AT THE PARTHENON RESTAURANT TOMORROW, THE LEAGUE OF WOMEN VOTERS DEBATE IS NEXT TUESDAY AT GRACE UNITED METHODIST CHURCH AT 7:00 P.M. THE ENO DEBATE IS NEXT WEDNESDAY. THERE WILL BE A DEBATE AT THE CHRIST LUTHERAN CHURCH ON WEDNESDAY THE 15TH, AND IN OLD TOWN ON THURSDAY THE 16TH AT 7:00 P.M., ON SUNDAY OCTOBER 26TH THERE IS A "MEET THE CANDIDATE DEBATE" AT GRACE LUTHERAN CHURCH, AND WKAR IS ORGANIZING A RADIO DEBATE. THERE ARE A NUMBER OF OPPORTUNITIES FOR THE PUBLIC TO MEET AND BECOME ACQUAINTED WITH THE CANDIDATES. IT IS HARD TO IMAGINE THAT THE PUBLIC IS NOT AWARE OF THE CANDIDATES POSITIONS AND RECORD.

**ADJOURNED 8:50 P.M.**

**MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF OCTOBER 13, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00  
P.M. BY PRESIDENT BEAL.

PRESENT: ALLEN, BAUER, BEAL, BENAVIDES, JONES,  
LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY  
COUNCILMEMBER BEAL

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
SEPTEMBER 22, AND SEPTEMBER 29, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE  
RULES:

1. FROM COUNCILMEMBER JONES; A SUBSTITUTE  
ORDINANCE TO REPLACE THE ORDINANCE AMENDING  
CHAPTER 206, SWEATSHOPS, ORIGINALLY CONTAINED IN  
THE PACKET

2. FROM COUNCILMEMBER ALLEN; A LETTER FROM  
RONALD PREADMORE PROTESTING THE USE OF TOXIC  
CHEMICALS BEING SPRAYED TO KILL WEEDS AND INSECTS  
NEAR STORM SEWER BASINS

3. FROM COUNCILMEMBER BENAVIDES; STORMWATER  
ENTERPRISE APPEAL FROM THOMAS HERNLY OF 3425  
PALMER

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART  
OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES ANNOUNCED THAT THE STORM  
WATER ENTERPRISE RATES FOR FY 1998 WILL BE

DISCUSSED AT THE OCTOBER 22, MEETING OF THE WAYS  
AND MEANS COMMITTEE. HE REMINDED EVERYONE THAT THE  
UAW LOCAL 724 FUND RAISER DANCE WILL BE HELD THIS  
SATURDAY AT THE UNION HALL ON S. CLAIR ST. PROCEEDS  
FROM THIS EVENT WILL BENEFIT RETIREES WHO HAVE LOST  
THEIR HEALTH INSURANCE BENEFITS. HE ANNOUNCED THAT  
ANYONE INTERESTED IN APPLYING FOR THE GLAHA  
(GREATER LANSING AMATEUR HOCKEY ASSOCIATION)  
SCHOLARSHIP PROGRAM MAY CALL 483-4277 FOR MORE  
INFORMATION.

COUNCILMEMBER ALLEN ANNOUNCED THAT SHE WILL  
PARTICIPATE IN THE LEAGUE OF WOMEN VOTERS "MEET THE  
CANDIDATE NIGHT" THIS WEDNESDAY NIGHT AT GARDENER  
MIDDLE SCHOOL AT 7:30 P.M. SHE URGED ALL 2ND  
WARD RESIDENTS TO PARTICIPATE.

COUNCILMEMBER NOVAK ANNOUNCED THAT THE WEST SIDE  
NEIGHBORHOOD ASSOCIATION HOME TOUR IS THIS SUNDAY,  
OCTOBER 19, 1997, FROM 1:00 TO 5:00 P.M.  
TICKETS FOR THE TOUR CAN BE PURCHASED FROM THE FIRE  
STATION AT SAGINAW AND JENISON.

COUNCILMEMBER LEEMAN ANNOUNCED CANDIDATE NIGHTS  
BEING HELD BY THE CHRIST LUTHERAN CHURCH AND THE  
NORTH TOWN COMMUNITY ASSOCIATION. HE SAID THAT AT  
THE COUNCILMEMBER COMMENT PORTION OF TONIGHT'S  
MEETING HE WILL SHOW VIDEOS OF THE RENOVATION OF THE  
CITY HALL GARAGE PARKING AREA.

COUNCILMEMBER BAUER ANNOUNCED A SEMINAR TO BE  
HELD ON NOVEMBER 19, AND NOVEMBER 20, 1997,  
SPONSORED BY THE TRI-COUNTY PLANNING COMMISSION.  
THE SEMINAR IS ON ALTERNATIVE TRANSPORTATION MEANS.  
THE COST IS \$99.00 PER PERSON AND THE SEMINAR IS  
OPEN TO THE PUBLIC.

COUNCILMEMBER BEAL ANNOUNCED A MAYORAL CANDIDATE  
FORUM TO BE HELD TOMORROW, OCTOBER 14, 1997, AT  
7:00 P.M. AT GRACE UNITED METHODIST CHURCH  
LOCATED AT THE CORNER OF BOSTON BLVD. AND MT. HOPE  
AVE. SHE REPORTED THAT SHE HAS RECEIVED  
COMMENTARY TO THE EFFECT THAT; MORE PEOPLE WANT  
MORE DEBATES ON BROADCAST TELEVISION. SHE ASKED  
CITY ATTORNEY SMIERTKA TO INVESTIGATE THE USE OF  
CABLE CHANNEL 12 FOR A GOVERNMENT FORUM TO TAKE  
PLACE SOME TIME NEXT WEEK. PARTICULARLY, FOR THE  
SCHOOL BOARD CANDIDATES.

CITY ATTORNEY SMIERTKA RESPONDED THAT THE USE OF A  
PUBLIC FACILITY FOR A PUBLIC FORUM IS GOVERNED BY  
THE CAMPAIGN FINANCE ACT, WHICH HAS BEEN AMENDED.  
THE AMENDMENT TOOK EFFECT THIS YEAR, AND LOOSENED  
RESTRICTIONS ON THE USE OF PUBLIC FACILITIES FOR THIS  
TYPE OF ACTIVITY. IT IS NOW CLEAR THAT YOU CAN USE  
CHANNEL 12, AS LONG AS ALL SIDES ARE ALLOWED ACCESS



TO THE FORUM. THIS TYPE OF AN EVENT SHOULD BE PUT TOGETHER BY AN OUTSIDE AGENCY SO THAT THERE ARE NO CHALLENGES ABOUT THE FACILITY BEING USED TO PUT ONE SIDE MORE FORWARD THAN THE OTHER. THERE MUST BE EQUAL OPPORTUNITY ACCESS.

MR. WIENER ANNOUNCED THAT LANSING HAS WON A "BEAUTIFICATION OF MICHIGAN" AWARD FOR OUR NEIGHBORHOODS IN BLOOM PROGRAM. HE SAID THAT NO MAJOR BROADCAST TELEVISION STATION HAS ASKED MAYOR HOLLISTER TO PARTICIPATE IN A TELEVISED DEBATE.

► SPECIAL CEREMONIES

THERE WERE NO SPECIAL CEREMONIES

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

THERE WERE NO SCHEDULED PUBLIC HEARINGS

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

WILLY WILLIAMS OF 505 W. LENAWEE COMMENTED REGARDING THE SWEATSHOP ORDINANCE. HE QUESTIONS THE ENFORCEABILITY OF THIS ORDINANCE. HOW WILL THE CITY KNOW WHETHER THE LUGNUTS CAPS THAT ARE MADE IN SRILANKA ARE MADE BY FACTORIES WHO ARE IN VIOLATION OF THIS ORDINANCE.

JUDITH CORLETT, OF THE DANCING GOAT COFFEE HOUSE, SPOKE IN SUPPORT OF THE RESOLUTION AUTHORIZING THE DESIGNATION OF ONE OF THE CITY OF LANSING'S TWO REMAINING NEW CLASS C PER CAPITA LIQUOR LICENSES TO HER BUSINESS.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SAID THAT HE HAS KNOWN AND WORKED WITH DERRICK QUINNEY ON A NUMBER OF PROJECTS. HE ACCUSED MAYOR HOLLISTER OF CHANGING HIS MIND WITH RESPECT TO THE ETHNIC DIVERSITY AMONG THE APPOINTEES TO THE BOARD OF POLICE COMMISSIONERS. HE IS NOT OPPOSED TO THE APPOINTMENT OF MR. QUINNEY, HOWEVER, HE CHALLENGES MAYOR HOLLISTER'S STATEMENTS TO THE EFFECT THAT THERE WERE TOO MANY BLACK MEN ON THIS BOARD AND THAT THE MEMBERSHIP NEEDED EQUALIZATION BY THE APPOINTMENT OF MEMBERS FROM OTHER ETHNIC GROUPS. HE ACCUSED THE MAYOR OF BOWING TO PRESSURE FROM SOMEONE.

ALEXANDER BOLT OF 1230 REO RD. SPOKE IN OPPOSITION TO THE RESOLUTION DENYING THE STORMWATER APPEAL OF RITA GELLER. SHE WENT TO THE TROUBLE AND EXPENSE OF HIRING A PROFESSIONAL TO COME TO HER PROPERTY AND MEASURE HER EHA (EQUIVALENT HYDRAULIC AREA). THEY FOUND THAT, ACCORDING TO THE CITY'S FORMULA, SHE SHOULD BE PAYING APPROXIMATELY ONE HALF OF WHAT SHE IS BEING BILLED. MOST OF THE PROPERTIES ON THE SOUTH SIDE DO NOT USE THE COMBINED SEWER OVERFLOW PROJECT. HE DOES NOT

UNDERSTAND HOW COUNCIL CAN DENY THESE APPEALS. MANY AREAS OF THE CITY DO NOT REQUIRE THE SERVICES OF THE CSO PROJECT. ONLY 25% OF THE CITY RECEIVES ANY SERVICE FROM IT AT ALL.

LLOYD TEETS OF 116 E. ELM ST. PROTESTED THE RESOLUTION GRANTING A NEW PER CAPITA CLASS C LIQUOR LICENSE TO THE DANCING GOAT. THERE ARE LICENSES AVAILABLE ON THE OPEN MARKET AT EXTREMELY REASONABLE RATES. THE CITY SHOULD NOT BE GIVING THIS LICENSE AWAY. IT SHOULD BE AUCTIONED OFF. HE STATED HIS CONFUSION OVER THE APPOINTMENT OF DERRICK QUINNEY TO THE BOARD OF POLICE COMMISSIONERS. THE CITY HAS NO GUARANTEE THAT MR. QUINNEY WILL SERVE ON THIS BOARD FOR ANY LENGTH OF TIME, AFTER ALL, HE RESIGNED FROM THE ELECTED OFFICER COMPENSATION COMMISSION. WHAT ASSURANCES DO WE HAVE THAT HE WILL PUT ANY TIME IN ON THE POLICE BOARD? HE OPPOSES THIS APPOINTMENT.

FRANK CURTIS "X" QUESTIONED THE RESOLUTION APPROVING THE HOUSING RESOURCE FUND LOAN. HE DOES NOT WANT TO MISS OUT ON ANY OPPORTUNITIES. HE IS TIRED OF HIS RIGHTS BEING VIOLATED.

**LEGISLATIVE MATTERS**

**RESOLUTIONS**

RESOLUTION #550  
BY COUNCILMEMBER ALLEN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MANAGER OF CODE COMPLIANCE HAS REQUESTED SETTING OF PUBLIC HEARINGS ON ORDERS BY THE DEMOLITION HEARING OFFICER(S) TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED STRUCTURES AT SEVERAL ADDRESSES; AND

NOW, THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT PUBLIC HEARINGS BE SCHEDULED AND ANNOUNCED FOR 7:00 P.M. ON MONDAY, OCTOBER 20, ~~OCTOBER 27~~, 1997 IN THE 10TH FLOOR COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON THE ORDERS TO DEMOLISH OR OTHERWISE MAKE SAFE DILAPIDATED AND DANGEROUS STRUCTURES LOCATED AT:

4000 HUNTERS RIDGE; PARCEL No. 2304 25 451 022 8; CLUB HOUSE; COM SE COR SEC 25, S 89 DEG 37 MIN 30 SCD W 2072.48 FT N 00 DEG 22 MIN 30 SCD W 198.42 FT, N 16 DEG 25 MIN 24 SCD E ON CHORD 49.81 FT FOR POB, TH N 71 DEG 11 MIN 02 SCD W 30 FT, N 36 DEG 40 MIN W. 100 FT, N 17 DEG 09 MIN 56 SCD W 154.31 FT, N 02 DEG 42 MIN 36 SCD E 179.54 FT, N 89 DEG

812 BEULAH; PARCEL No. 3301 22 304 041 3; LOT 31 CLARK S SUB

827 HICKORY; PARCEL No. 3301 15 352 080 9; LOT



26 BLOCK 3 LANSING IMPROVEMENT COMPANY S ADD

1117 E. MT. HOPE; PARCEL No. 3301 22 384 121  
6; LOT 64 PARKDALE SUB

LOT BETWEEN 910 AND 918 N. CHESTNUT (GARAGE  
ONLY); PARCEL No. 3301 09 354 041 5 N 36 Ft LOT  
9 BLOCK 47 ORIG PLAT

BE IT FURTHER RESOLVED THAT THE MANAGER OF CODE  
COMPLIANCE IS REQUESTED TO MAKE ALL REQUIRED  
NOTIFICATIONS REGARDING THESE HEARINGS.

BY COUNCILMEMBER ALLEN

TO AMEND THE RESOLUTION TO STATE THAT THE DATE OF  
THE PUBLIC HEARING WILL BE OCTOBER 20, 1997, AND  
TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS  
AMENDED

CARRIED UNANIMOUSLY

#### RESOLUTION #551

BY COMMITTEE ON DEVELOPMENT & PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, IN RESOLUTION #434 PASSED SEPTEMBER  
16, 1996 THE CITY COUNCIL OF THE CITY OF LANSING  
AUTHORIZED THE ADMINISTRATION TO RETAIN IN CITY  
OWNERSHIP PART OF A PROPERTY LOCATED ON CHESTNUT  
STREET UNTIL SUCH TIME AS THE REDEVELOPMENT OF THE  
500 BLOCK OF GENESEE STREET IS COMPLETED; AND

WHEREAS, THE CITY COUNCIL ALSO RESOLVED TO REVIEW  
AND CONSIDER THE RECOMMENDATION OF THE  
ADMINISTRATION FOR FINAL DISPOSITION OF THE PARCEL  
WHEN THE GENESEE STREET PROJECT IS COMPLETED; AND

WHEREAS, THE PROJECT IN THE BLOCK FACE OF THE 500  
BLOCK OF WEST GENESEE IS COMPLETED; AND

WHEREAS, THE CITY OWNERSHIP OF THE PROPERTY  
SERVES NO PUBLIC PURPOSE, IS A PARCEL OF PROPERTY  
THAT LACKS BOTH SUFFICIENT WIDTH AND DEPTH FOR  
DEVELOPMENT AND REQUIRES ANNUAL MAINTENANCE AT A  
COST TO THE CITY; AND

WHEREAS, THE ADMINISTRATION RECOMMENDS THAT THE  
PARCEL BE SOLD TO THE OWNER OF THE PROPERTY  
LOCATED AT 500 W. GENESEE TO EXTEND THE REAR YARD  
AREA OF THAT PROPERTY FOR THE NOMINAL SUM OF  
\$35.00 PLUS ALL CLOSING COSTS ASSOCIATED WITH THE  
TRANSACTION; AND

WHEREAS, AFTER REVIEW AND CONSIDERATION THE CITY  
COUNCIL CONCURS WITH THIS RECOMMENDATION;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING  
CITY COUNCIL AUTHORIZE THE SALE OF THE PARCEL OF  
PROPERTY LOCATED ON CHESTNUT STREET LEGALLY  
DESCRIBED AS:

THE SOUTH 35 FEET OF THE EAST 49.5 FEET OF  
LOT 5, BLOCK 73, ORIGINAL PLAT, CITY OF  
LANSING, INGHAM COUNTY, MICHIGAN.

TO THE OWNER OF THE PROPERTY LOCATED AT 500 W.  
GENESEE STREET FOR THE SUM OF THIRTY FIVE AND  
NO/100 DOLLARS (\$35.00) PLUS ALL CLOSING COST  
ASSOCIATED WITH THE TRANSACTION.

BE IT FURTHER RESOLVED THAT ALL PROCEEDS FROM  
THE SALE OF THE PROPERTY SHALL BE RETURNED TO THE  
CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

BE IT FINALLY RESOLVED THAT THE MAYOR, ON BEHALF  
OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL  
NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESTATED  
SALE, SUBJECT TO PRIOR APPROVAL AS TO FORM BY THE  
CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #552

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

SLU-4-97

625 W. SHERIDAN ROAD  
PARKING LOT IN "A" RESIDENTIAL DISTRICT

WHEREAS, PASTOR NATHANIEL WHITT HAS REQUESTED A  
SPECIAL LAND USE PERMIT (SLU-4-97) TO ALLOW 63  
PARKING SPACES TO BE CREATED AT THE WEST END OF  
PROPERTY LOCATED AT 625 W. SHERIDAN ROAD FOR THE  
ZION HILL HOLY MISSIONARY BAPTIST CHURCH. THE  
PROPERTY IS ZONED "K" RESIDENTIAL WHICH ALLOWS  
PARKING LOTS SUBJECT TO THE APPROVAL OF A SPECIAL  
LAND USE PERMIT. THE CHURCH, WHICH IS  
NONCONFORMING SINCE IT IS ON LAND LESS THAN THE  
REQUIRED TWO ACRES, WAS GIVEN CLASS "N" STATUS BY  
THE PLANNING BOARD TO ALLOW FOR AN EXPANSION OF THE  
BUILDING, TO ACCOMMODATE A TOTAL OF 187 PEOPLE,  
AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING  
FOR THE SPECIAL LAND USE PERMIT ON JULY 1, 1997,  
WHERE THE PETITIONER PASTOR NATHANIEL WHITT AND HIS  
WIFE GEORGIA SPOKE IN SUPPORT OF THE PETITION, AND  
NO ONE SPOKE IN OPPOSITION, AND THE APPROVED MINUTES  
OF SAID PLANNING BOARD MEETING ARE ON FILE IN THE CITY  
CLERK'S OFFICE, AND

WHEREAS, THE PLANNING BOARD REVIEWED THE PETITION  
AND ON JULY 15, 1997 UNANIMOUSLY (6-0)  
RECOMMENDED APPROVAL OF THE PETITION SUBJECT TO  
CONDITIONS, AND

WHEREAS, THE MAYOR CONCURS IN THE RECOMMENDATION  
OF THE PLANNING BOARD, AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON



THE REQUEST OF THE ZION HILL HOLY MISSIONARY BAPTIST CHURCH FOR A SPECIAL LAND USE PERMIT ON AUGUST 25, 1997, AND

WHEREAS, THE DEVELOPMENT AND PLANNING COMMITTEE OF CITY COUNCIL HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH,

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVES THE SPECIAL LAND USE REQUEST (SLU-4-97) BY ZION HILL HOLY MISSIONARY BAPTIST CHURCH TO ALLOW 63 PARKING SPACES TO BE CREATED AT THE WEST END OF PROPERTY LOCATED AT 625 W. SHERIDAN ROAD TO ACCOMMODATE AN EXPANSION OF THE CHURCH SUBJECT TO THE FOLLOWING CONDITIONS: (1) OIL RUNOFF FROM THE PARKING LOT SHALL BE COLLECTED ON-SITE AND NOT DIRECTED INTO JONES LAKE; (2) LIGHTING OF THE PARKING LOT SHALL BE DIRECTED AWAY FROM ANY NEARBY RESIDENTIAL PROPERTIES; AND (3) AN ACCEPTABLE LANDSCAPE, SCREENING AND BUFFERING PLAN SHALL BE SUBMITTED, APPROVED AND DEVELOPED THAT WILL SCREEN THE VIEWS FROM RESIDENTIAL PROPERTIES TO THE NORTH, SOUTH, AND EAST OF THE PARKING LOT. THIS PLAN SHALL ALSO INCORPORATE NATURALIZED PLANTING MATERIALS IN THE STORM WATER DETENTION AREA TO HELP REMOVE POLLUTANTS FROM RUN-OFF WATER, AND

BE IT FURTHER RESOLVED THAT THIS SPECIAL LAND USE SHALL NOT BE EFFECTIVE AND/OR SHALL ONLY REMAIN IN EFFECT IF THE PETITIONER FULLY COMPLIES WITH THE CONDITIONS SET FORTH IN THIS RESOLUTION.

BE IT FINALLY RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

- ▶ THE PROPOSED SPECIAL LAND USE IS HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND SURROUNDING USES. THE USE OF THE PROPERTY FOR PARKING TO ACCOMMODATE THE CHURCH WILL NOT HAVE A NEGATIVE EFFECT ON ADJACENT PROPERTIES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY, WHICH IS SINGLE FAMILY RESIDENTIAL.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTIES
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT BE HAZARDOUS TO ADJACENT PROPERTIES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT PLACE ANY DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITIES.
- ▶ THE PROPOSED SPECIAL LAND USE IS CONSISTENT WITH THE INTENT OF THE ZONING CODE AND OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

RESOLUTION #553  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-1 1-97 1300 BLOCK TURNER STREET,  
VACATE FOUR FEET OF RIGHT-OF-WAY

WHEREAS, DAVID FERGUSON, DEVELOPER OF THE "ON THE GRAND TOWNHOMES" PROJECT REQUESTS THAT THE CITY VACATE (4) FEET OF RIGHT-OF-WAY ADJACENT THE WEST SIDE OF TURNER STREET IN THE 1300 BLOCK OF TURNER STREET TO ALLOW FOR ENTRANCE STAIRWAY IMPROVEMENTS; AND

WHEREAS, "ON THE GRAND TOWNHOMES" WILL CONSIST OF 44 TOWNHOUSE CONDOMINIUM UNITS ON THE WEST SIDE OF TURNER STREET; AND

WHEREAS, DEVELOPMENT OF THE 1.95 ACRE SITE IS A MUCH NEEDED STIMULUS FOR RESIDENTIAL REDEVELOPMENT OF THE NORTH LANSING/OLD TOWN AREA; AND

WHEREAS, VACATION OF THE FOUR (4) FOOT BY 408.76 FOOT (1635.04 SQUARE FOOT) OF TURNER STREET'S RIGHT-OF-WAY IS NECESSARY TO ALLOW FOR CONSTRUCTION OF ENTRANCE STAIRWAY IMPROVEMENTS; AND

WHEREAS, ON SEPTEMBER 3, 1997, THE PLANNING BOARD REVIEWED THE LOCATION, CHARACTER AND EXTENT OF THIS PROPOSAL PURSUANT TO ACT 285 OF 1931, AS AMENDED, AND FOUND THAT:

- ▶ 1. IT HAS BEEN THE PLANNING BOARD'S OBJECTIVE THAT THIS DEVELOPMENT BE DESIGNED TO FIT IN WITH THE HISTORIC COMMERCIAL DISTRICT CENTERED ON E. GRAND RIVER AVE. AND TURNER STREET;
- ▶ 2. IN ORDER TO MEET REQUIREMENT OF THE PUBLIC SERVICE DEPARTMENT, THE PROPOSED BUILDING SETBACK WOULD HAVE TO BE INCREASED TO FOURTEEN (14) FEET IN ORDER TO KEEP ALL PRIVATE IMPROVEMENTS OUT OF THE PUBLIC RIGHT-OF-WAY;
- ▶ 3. BY VACATING FOUR FEET OF RIGHT-OF-WAY ADJACENT TURNER STREET, ALL PRIVATE IMPROVEMENTS WOULD BE ON PRIVATE PROPERTY, THUS SATISFYING THE PUBLIC SERVICE DEPARTMENT'S DESIRE TO AVOID LIABILITY FOR PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT OF-WAY;
- ▶ 4. BY PERMITTING THE PROPOSED BUILDINGS TO BE CONSTRUCTED SEVEN FEET FROM THE EXISTING FRONT PROPERTY LINE, THE CITY IS TAKING JUST ONE OF MANY NECESSARY STEPS TO ASSURE COMPATIBLE DESIGN OF "ON THE GRAND TOWNHOMES" WITH THE HISTORIC COMMERCIAL DISTRICT;
- ▶ 5. VACATING THAT PORTION OF THE RIGHT-OF-WAY WOULD SERVE A PUBLIC PURPOSE AND BE IN THE PUBLIC INTEREST;



► 6. THE EXISTING STREET TREES WILL BE REPLACED DURING CONSTRUCTION OF THE NEW SIDEWALK;

► 7. THERE IS A CONTINUING NEED IN THE RIGHT-OF-WAY FOR EXISTING UTILITIES; AND

WHEREAS, THE BOARD VOTED UNANIMOUSLY (7-0) TO RECOMMEND APPROVAL OF THE REQUEST FOR VACATION OF THE RIGHT-OF-WAY AS DESCRIBED; AND

WHEREAS, NO ONE SPOKE AGAINST THE PROPOSAL AT THIS SEPTEMBER 3 PLANNING BOARD MEETING; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS REVIEWED THE REPORT AND RECOMMENDATION OF THE PLANNING BOARD AND CONCURS THEREWITH;

NOW, THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY VACATES THE WESTERNMOST FOUR FEET OF THE TURNER STREET RIGHT-OF-WAY, ADJACENT TO THE 1300 BLOCK OF TURNER STREET, IN THE CITY OF LANSING, SAID VACATED STREET RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS:

WESTERNMOST FOUR FEET OF THE TURNER STREET RIGHT-OF-WAY, ADJACENT LOTS 10, 11, 12, & 13, BLOCK 10 ORIGINAL PLAT AND LOT 1, BLOCK 11 ORIGINAL PLAT, CITY OF LANSING

BUT RESERVING, HOWEVER, UNTO THE CITY OF LANSING AN EASEMENT UNDER, ACROSS, ABOVE AND WITHIN THE RIGHT OF WAY OF SAID VACATED RIGHT-OF-WAY FOR UTILITY PURPOSES, INCLUDING THE RIGHT OF INGRESS AND EGRESS AT ALL TIMES FOR PUBLIC AND PRIVATE UTILITY AGENTS AND EMPLOYEES TO USE THE VACATED RIGHT-OF-WAY, OR SO MUCH OF IT AS MAY BE NECESSARY, FOR THE INSTALLATION, MAINTENANCE, REPAIR, OR REMOVAL OF UTILITIES.

BE IT FINALLY RESOLVED, THE CITY CLERK, WITHIN 30 DAYS HEREAFTER, SHALL FORWARD CERTIFIED COPIES OF THIS RESOLUTION TO THE INGHAM COUNTY REGISTER OF DEEDS FOR RECORDING, AND UPON RETURN, TRANSMIT A COPY OF THE RECORDED RESOLUTION TO THE MICHIGAN DEPARTMENT OF CONSUMERS AND INDUSTRY SERVICES, SUBDIVISION CONTROL UNIT; AND TO THE CITY OF LANSING PLANNING AND ASSESSOR'S OFFICES.

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER JONES ABSENT AND UNEXCUSED FOR THIS VOTE)

ITEM VIII B-2d, RESOLUTION APPROVING DECLARATION OF SURPLUS PROPERTY BY THE BOARD OF WATER & LIGHT FOR PROPERTY LOCATED ON WEXFORD RD., WAS NOT SUBMITTED TO THE CITY CLERK FOR DISTRIBUTION, AND WAS SUBSEQUENTLY PULLED

FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

#### RESOLUTION #554

BY COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLUTION APPROVING A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE ON BEHALF OF PETER HUDY FOR PROPERTY LOCATED AT 200 SHEPARD STREET, LANSING, MICHIGAN.

WHEREAS, THE CITY OF LANSING ESTABLISHED THE NEIGHBORHOOD ENTERPRISE ZONES (NEZ) BY RESOLUTION #282 PASSED MAY 27, 1997; AND

WHEREAS, AN APPLICATION WAS FILED WITH THE CITY OF LANSING ON AUGUST 8, 1997, BY PETER HUDY FOR HIS RESIDENCE AT 200 SHEPARD STREET, LANSING, LOCATED IN THE NEIGHBORHOOD ENTERPRISE ZONE REHABILITATION No. 2 P.L.A.C.E. NEIGHBORHOOD & SHEPARD STREET FOR A REHABILITATION CERTIFICATION; AND

WHEREAS, THE PRIMARY PURPOSE OF THE REHABILITATION IS FOR RESIDENTIAL OWNER OCCUPIED;

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL ACKNOWLEDGES THAT THE APPLICATION OF PETER HUDY FOR 200 SHEPARD STREET, LANSING, COMPLIES WITH PUBLIC ACT 147 OF 1992, AND HEREBY APPROVES THE ISSUANCE OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE FOR THE ABOVE DESCRIBED PROPERTY AND PROJECT.

BE IT FURTHER RESOLVED THE CITY CLERK IS HEREBY REQUESTED TO FORWARD THE ORIGINAL APPLICATION AND TWO CERTIFIED COPIES OF THIS RESOLUTION TO THE ECONOMIC DEVELOPMENT CORPORATION FOR THEIR FORWARDING TO THE STATE TAX COMMISSION.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #555

BY COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLUTION APPROVING A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE ON BEHALF OF HABITAT FOR HUMANITY LANSING FOR PROPERTY LOCATED AT 1239 LATHROP, LANSING, MICHIGAN.

WHEREAS, THE CITY OF LANSING ESTABLISHED THE NEIGHBORHOOD ENTERPRISE ZONES (NEZ) BY RESOLUTION #282 PASSED MAY 27, 1997; AND

WHEREAS, AN APPLICATION WAS FILED WITH THE CITY OF LANSING ON AUGUST 12, 1997, BY TOM MCCARTHY ON BEHALF OF HABITAT FOR HUMANITY LANSING, FOR A



PROPOSED NEWLY CONSTRUCTED RESIDENCE AT 1239 LATHROP STREET, LANSING, LOCATED IN THE NEIGHBORHOOD ENTERPRISE ZONE REHABILITATION NO.3 POTTER/WALSH NEIGHBORHOOD FOR A NEW CONSTRUCTION CERTIFICATION; AND

WHEREAS, THE PRIMARY PURPOSE OF THE NEW CONSTRUCTIONS WILL BE RESIDENTIAL OWNER OCCUPIED;

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL ACKNOWLEDGES THAT THE APPLICATION OF HABITAT FOR HUMANITY FOR 1239 LATHROP STREET, LANSING, COMPLIES WITH PUBLIC ACT 147 OF 1992, AND HEREBY APPROVES THE ISSUANCE OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE FOR THE ABOVE DESCRIBED PROPERTY AND PROJECT.

BE IT FURTHER RESOLVED THE CITY CLERK IS HEREBY REQUESTED TO FORWARD THE ORIGINAL APPLICATION AND TWO CERTIFIED COPIES OF THIS RESOLUTION TO THE ECONOMIC DEVELOPMENT CORPORATION FOR THEIR FORWARDING TO THE STATE TAX COMMISSION.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #556**  
BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MICHIGAN POLYMER RECLAIM, INC., HAS OPERATED A MANUFACTURING OPERATION SINCE 1991 FROM A LEASED FACILITY LOCATED AT 2100 S. WASHINGTON AVENUE, LANSING; AND

WHEREAS, MICHIGAN POLYMER RECLAIM, INC. IS EXPANDING ITS OPERATION AND FINDS AN EXPANSION AT ITS LANSING LOCATION NOT FEASIBLE; AND

WHEREAS, MICHIGAN POLYMER RECLAIM, INC. IS PURCHASING PROPERTY IN THE CITY OF ST. JOHNS, CLINTON COUNTY, MICHIGAN, WHERE IT PLANS TO OPERATE A 27,000 SQUARE FOOT MANUFACTURING FACILITY; AND

WHEREAS, MICHIGAN POLYMER RECLAIM, INC. HAS MADE APPLICATION TO THE CITY OF ST. JOHNS FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR THE EXPANSION AND RENOVATION OF ITS NEW FACILITY; AND

WHEREAS, THE PROJECT WILL RESULT IN THE TRANSFER OF APPROXIMATELY 11 EXISTING EMPLOYEES FROM THE CITY OF LANSING TO THE CITY OF ST. JOHNS; AND

WHEREAS, IN THE EVENT OF A TRANSFER OF EMPLOYMENT, PUBLIC ACT 198 OF 1974, AS AMENDED, REQUIRES THE MUNICIPALITY WHICH LOSES JOBS TO CONSENT, BY RESOLUTION, TO THE TRANSFER OF EMPLOYMENT.

NOW, THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

- ▶ 1. THAT IN AN EFFORT TO BE COOPERATIVE WITH OTHER GOVERNMENTAL UNITS IN THE AREA OF ECONOMIC DEVELOPMENT AND TO ALSO ENCOURAGE RECIPROCAL CONSIDERATIONS FOR THE TRANSFER OF EMPLOYEES FROM OTHER LOCAL UNITS TO THE CITY OF LANSING, AND IN ACCORDANCE WITH THE PROVISIONS OF PUBLIC ACT 198 OF 1974, AS AMENDED, THE CITY COUNCIL OF THE CITY OF LANSING HEREBY CONSENTS TO THE TRANSFER OF APPROXIMATELY 11 EMPLOYEES WHICH MAY OCCUR AS THE RESULT OF MICHIGAN POLYMER RECLAIM, INC. EXPANDING ITS BUSINESS TO THE CITY OF ST. JOHNS, CLINTON COUNTY, MICHIGAN.
- ▶ 2. THE CITY CLERK IS HEREBY REQUESTED TO SEND TWO CERTIFIED COPIES OF THE RESOLUTION TO THE CLERK OF THE CITY OF ST. JOHNS, 121 E. WALKER STREET, ST. JOHNS, MICHIGAN, 48879.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #557**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LICENSING AND ENFORCEMENT DIVISION OF THE MICHIGAN LIQUOR CONTROL COMMISSION ADVISED THE CITY THAT IT CURRENTLY HAS ONE ADDITIONAL ON-PREMISE LIQUOR LICENSE AVAILABLE FOR ASSIGNMENT;

WHEREAS, KALDI, INC., D/B/A THE DANCING GOAT COFFEEHOUSE, JUDITH CORLETT, PROPRIETOR, REQUESTED THE APPROVAL OF A CLASS C LIQUOR LICENSE FOR HER ESTABLISHMENT, LOCATED AT 301 WASHINGTON SQUARE, LANSING, MICHIGAN;

WHEREAS, MS. CORLETT HAS OBTAINED THE APPROPRIATE SIGNATURES AND PAID THE NECESSARY FEES REQUIRED ON THE APPLICATION FORMS UTILIZED TO OBTAIN A CLASS C LIQUOR LICENSE;

WHEREAS, THE COMMITTEE ON GENERAL SERVICES REVIEWED THE EXECUTED FORMS ON JUNE 24, 1997;

WHEREAS, THE COMMITTEE ON GENERAL SERVICES APPROVED THE ISSUING OF A CLASS C LIQUOR LICENSE TO KALDI, INC., D/B/A THE DANCING GOAT COFFEEHOUSE, JUDITH CORLETT, PROPRIETOR, LOCATED AT 301 WASHINGTON SQUARE, LANSING, MICHIGAN, BY A VOTE OF 3-0; AND

NOW THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO APPROVE AND HEREBY AWARD THIS CLASS C LIQUOR LICENSE FOR KALDI, INC., D/B/A THE DANCING GOAT COFFEEHOUSE ABOVE ALL OTHERS;

BE IT FURTHER RESOLVED, THE CITY CLERK IS REQUESTED TO NOTIFY KALDI, INC., D/B/A THE DANCING



GOAT COFFEEHOUSE, JUDITH CORLETT, PROPRIETOR,  
AFTER APPROVED BY THE CITY COUNCIL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #558**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, NEIL SPEERBRECKER FILED A CLAIM AGAINST THE CITY IN THE AMOUNT OF \$6,050.00 TO SEEK COMPENSATION FOR A SPECIAL ASSESSMENT FROM PROPERTY LOCATED AT 1919 1/2 SOUTH WASHINGTON AVENUE; AND

WHEREAS, BASED ON THE FACT THE PROCEDURAL REQUIREMENTS WERE NOT FULFILLED IN ACCORDANCE WITH THE GOVERNING ORDINANCE, THE COMMITTEE RECOMMENDS APPROVAL OF THE CLAIM;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE CLAIM IN THE AMOUNT OF \$6,050.00; AND

BE IT FURTHER RESOLVED THE CLERK IS REQUESTED TO FORWARD A COPY OF THIS RESOLUTION TO THE CITY ATTORNEY FOR ACTION.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #559**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON OCTOBER 7, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF RITA GELLER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3305-05-227-311-8; COMMONLY KNOWN AS 829 WEST JOLLY, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3305-05-227-311-8 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF RITA GELLER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-05-227-311-8 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT AN EXEMPTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-05-227-311-8 BE MAINTAINED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES

**RESOLUTION #560**  
BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THIS COUNCIL APPROPRIATED \$30,000 IN THE FY-97 GENERAL FUND BUDGET TO PAY CERTAIN COSTS OF USE OF THE LANSING CENTER AND OLDSMOBILE PARK AND BY COMMUNITY ORGANIZATIONS; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES HAS REVIEWED A REQUEST FOR PAYMENT OF SUCH COSTS FROM THE NEIGHBORHOOD YOUTH AND PARENT PREVENTION PARTNERSHIP, INC. FOR THE THIRD ANNUAL TEEN CONFERENCE AT THE LANSING CENTER HELD ON SEPTEMBER 27, 1997; AND

WHEREAS, THE COMMITTEE HAS RECOMMENDED THAT FUNDS BE APPROVED;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES A CHARGE IN THE AMOUNT OF \$750.00 TO ACCOUNT #101-173901-741200-0, FOR LANSING CENTER RENTAL COSTS; AND

BE IT FURTHER RESOLVED THIS PAYMENT SHALL BE MADE BY MEANS OF AN INTERDEPARTMENTAL VOUCHER TO BE GENERATED BY THE FINANCE DEPARTMENT.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #561**  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

BE IT RESOLVED, THAT THE SUM OF \$1,000 BE TRANSFERRED FROM THE CITY COUNCIL COMMUNITY PROMOTIONS ACCOUNT AND APPROPRIATED TO THE OLD TOWN BUSINESS AND ART DEVELOPMENT ASSOCIATION FOR THE OLD TOWN ART AND OKTOBERFEST TO BE HELD ON



OCTOBER 10, 11, AND 12, 1997; AND

BE IT FURTHER RESOLVED THIS PAYMENT SHALL BE MADE BY MEANS OF AN INTERDEPARTMENTAL VOUCHER TO BE GENERATED BY THE FINANCE DEPARTMENT.

BY COUNCILMEMBER BENAVIDES  
CARRIED UNANIMOUSLY

RESOLUTION #562  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED SUSAN ANDERSON, 3200 LEAWOOD DRIVE, TO THE BOARD OF FIRE COMMISSIONERS; AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF SUSAN ANDERSON, 3200 LEAWOOD DRIVE TO THE BOARD OF FIRE COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

RESOLUTION #563  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED JOANNE WITTE, 2920 PLEASANT GROVE TO THE BOARD OF FIRE COMMISSIONERS; AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF JOANNE WITTE TO THE BOARD OF FIRE COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 1999

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

RESOLUTION #564  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED DERRICK QUINNEY, 2010 WELLESLEY DRIVE, TO THE BOARD OF POLICE COMMISSIONERS; AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS

RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF DERRICK QUINNEY, 2010 WELLESLEY DRIVE, TO THE BOARD OF POLICE COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER ALLEN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

RESOLUTION #565  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 708 BAKER, LEGALLY DESCRIBED AS: LOT 4 BLOCK 1 ASSESSOR S PLAT NO. 28 REC 110 P 33

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON APRIL 24, 1997, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MONDAY, OCTOBER 6, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS RESOLUTION. MONDAY, OCTOBER 13, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING;



AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COSTS BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #566**  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 1230 E. MAIN, LEGALLY DESCRIBED AS: 330 122 129 181 9 E 40 FT OF N 87 FT LOT 1 BLOCK 5 MANUFACTURERS ADD NO 1

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON APRIL 24, 1997, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MONDAY, OCTOBER 6, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF

THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS RESOLUTION MONDAY, OCTOBER 13, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #567**  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 1312 W. IONIA, LEGALLY DESCRIBED AS: 330 117 253 081 8 W FT OF S 5 1/2 R LOT 17 BLOCK G S FRENCH S SUB E 1/2 LOT 6 BLOCK 1 HOLMES PLAT REC L 2 P 41

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON APRIL 24, 1997, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND



WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MONDAY, OCTOBER 6, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN THIRTY (30) DAYS FROM THE DATE OF THIS RESOLUTION, MONDAY, OCTOBER 13, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COSTS BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN-THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #568**  
**BY THE COMMITTEE ON PUBLIC SERVICE**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**  
**PUBLIC IMPROVEMENT 1-11-111**

WHEREAS, THE CITY HAS RECEIVED A WRITTEN REQUEST FROM THOMAS DODD TO CONSTRUCT A SANITARY SEWER EXTENSION TO THE WEST SIDE OF WAVERLY ROAD AT GLENBROOK DRIVE; AND

WHEREAS, THIS EXTENSION SERVES THE PROPERTY AT PARCEL NUMBER 2304-36-226-130, WHICH IS OWNED

BY SANDLYN, INC; AND

WHEREAS, THIS PROPERTY HAS A MEMORANDUM OF LAND CONTRACT BETWEEN SANDLYN, INC. AND DODD RESTAURANT, INC.; AND

WHEREAS, THIS PROPOSED PUBLIC IMPROVEMENT WILL BENEFIT THE PROPERTY IN THE VICINITY OF THE WORK TO BE DONE AND THAT A BENEFIT DISTRICT PURSUANT TO CHAPTER 1026 OF THE LANSING CODE OF ORDINANCES SHOULD BE ESTABLISHED TO BE SPECIALLY ASSESSED FOR THE PUBLIC IMPROVEMENT; AND

WHEREAS, THE CITY HAS SEWER CONTRACTS OPEN WITH TWO CONTRACTORS THAT THIS WORK COULD BE ADDED TO AND THE ESTIMATED COST BASED ON THESE CONTRACTS IS AS FOLLOWS:

**ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:**

ASSESSMENT ROLL #339	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SANITARY SEWER	\$0.00	\$45,000.00
TOTAL COSTS	\$0.00	\$45,000.00

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY DETERMINES IT TO BE OF A PUBLIC NECESSITY TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS: CONSTRUCT SANITARY SEWER EXTENSION TO THE WEST SIDE OF WAVERLY ROAD AT GLENBROOK DR; AND

BE IT FURTHER RESOLVED THAT THE PUBLIC HEARING IS NOT REQUIRED SINCE THE SOLE OWNER HAS SUBMITTED THE WRITTEN REQUEST FOR THE WORK; AND

BE IT FURTHER RESOLVED THAT THE COST OF THESE IMPROVEMENTS IS TO BE FINANCED BY SPECIAL ASSESSMENTS TO THE BENEFITTED PROPERTY OWNER, AND CITY COUNCIL WILL ESTABLISH BY RESOLUTION THE TERM OF THE REPAYMENT PLAN; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL HEREBY DIRECTS THAT THE ABOVEMENTIONED PLANS, SPECIFICATIONS, ENGINEER'S ESTIMATE, AND OTHER PERTINENT INFORMATION REGARDING THIS PROJECT BE RECEIVED, APPROVED, AND PLACED ON FILE FOR PUBLIC INSPECTION; AND

BE IT FINALLY RESOLVED THE CITY ASSESSOR IS AUTHORIZED TO PREPARE THE SPECIAL ASSESSMENT INSTALLATION ROLL INFORMATION, BASED UPON THE CONTRACT RECEIVED AND OTHER RELATED COSTS OF CONSTRUCTION, AND RETURN THE ROLL INFORMATION TO THE CITY COUNCIL.

BY COUNCILMEMBER LEEMAN



CARRIED UNANIMOUSLY

**RESOLUTION #569**  
**BY COMMITTEE ON PUBLIC SERVICE**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, PURSUANT TO THE PUBLIC IMPROVEMENT I AND PUBLIC IMPROVEMENT II ADOPTED BY THIS COUNCIL, THE DIRECTOR OF PUBLIC SERVICE HAS COMPLETED THE PLANS AND SPECIFICATIONS AND FURNISHED THE FOLLOWING INFORMATION:

PROJECT TITLE: MT. HOPE AVENUE RECONSTRUCTION  
 P.S. #48022.- AURELIUS ROAD TO THE EAST CITY LIMITS.

**PROPERTY BENEFITTED**  
**CURB AND GUTTER:**

ALL LANDS FRONTING ON MT. HOPE AVENUE FROM AURELIUS ROAD EAST TO THE CITY LIMITS, EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

**PROPERTY BENEFITTED**  
**STORM SEWER:**

ALL LANDS FRONTING ON MT. HOPE AVENUE FROM AURELIUS ROAD EAST TO THE CITY LIMITS, EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

**ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:**

ASSESSMENT ROLL #335	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB & GUTTER	\$80,555.34	\$48,038.12
STORM SEWER	\$190,321.85	\$81,686.80
OTHER COSTS	\$1,140,630.52	\$ 0.00
TOTAL COSTS	\$1,411,507.71	\$129,724.92

WHEREAS, THE PUBLIC SERVICE COMMITTEE MET WITH THE RESIDENTS OF MT. HOPE AVENUE ON JULY 2, 1997 AND RECOGNIZED THAT MT. HOPE AVENUE, A MAJOR STREET, IS USED BY MANY RESIDENTS IN THE CITY; AND

WHEREAS, THIS IS UNLIKE A LOCAL STREET THAT SERVES PRIMARILY THE RESIDENTS ON THAT STREET; AND

NOW, THEREFORE, BE IT RESOLVED, THAT THE PROJECT IS NECESSARY AND SHALL PROCEED;

BE IT FURTHER RESOLVED, THAT THE ASSESSABLE COST FOR THE CURB AND GUTTER OF THE PROJECT SHALL BE FUNDED WITH STREET REHABILITATION FUNDS IN THE FOLLOWING ACCOUNTS:

**SOURCES OF FUNDING IMPROVEMENTS:**

		ACCOUNT NUMBER
CITY SHARE OF C & G	\$ 80,555.34	41093369097410043814
CITY SHARE OF STORM SEWER	\$190,321.85	41093369097410043814
CITY SHARE OF OTHER COST	\$766,557.52	41093369097410043814
CITY SHARE OF OTHER COST	\$374,073.00	20245360197410050002
ASSESSMENT ROLL # 335	\$129,724.92	41093369097410043814

BE IT FINALLY RESOLVED, THAT THE PUBLIC SERVICE COMMITTEE REQUESTS THAT THE WAYS AND MEANS COMMITTEE IDENTIFY FUNDS TO MAKE THE STREET REHABILITATION FUND WHOLE FOR THE AMOUNT THAT WOULD HAVE BEEN FUNDED BY THE SPECIAL ASSESSMENTS FOR THE CURB AND GUTTER ON THIS PROJECT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #570**  
**BY THE COMMITTEE ON WAYS AND MEANS**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

THAT THE FOLLOWING FY 98 TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$13,000	CITY COUNCIL CHANNEL 28 CABLE GRANTS 101- 112110-963000-0	CITY COUNCIL-EQUIPMENT 101-112101-977000-0

(FUNDING FOR PURCHASE OF TWO "POWER MACINTOSH" COMPUTERS AND ONE IBM "THINKPAD". TRANSFER AMENDS POLICY WITH REGARD TO USE OF CABLE T.V. FRANCHISE FEES FOR OPERATION OF CHANNEL 28.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,500	EST REV-GEN FUND 101-0- 170001-0	POLICE DEPT.-CONTROL 101- 343201-992200-0
\$1,500	POLICE DEPT. CTRL 101- 343201-992200-0	DONATIONS-DARE 101- 343201-741879-0

(DONATIONS RECEIVED FOR DARE PROGRAM BY THE LANSING POLICE AND FIRE FOOTBALL CHARITY. REVENUE DETAIL ACCOUNT 101-0-675010-0.)



AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$661.03	FUND BALANCE-GEN FUND 101-0-390001-0	POLICE DEPT.-CONTROL 101-343201-992200-0
\$661.03	POLICE DEPT.-CTRL 1013432019922000	DONATIONS-DARE 101-343201-992200-0

(DONATIONS RECEIVED PRIOR TO JUNE 30. CARRY FORWARD STATED SPECIFIC AMOUNT TO BE CARRIED FORWARD IN THIS ACCOUNT. AMOUNT SHOWN IS IN EXCESS OF AMOUNT ALREADY APPROVED TO BE CARRIED FORWARD.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$14,000	EST REV-GEN FUND 101-0-170001-0	PARKS AND REC-CTRL 101-783860-992200-0
\$14,000	PARKS AND REC-CTRL 101-783860-992200-0	DONATIONS/CONTRIBUTIONS 101-783860-741880-0

(DONATIONS FROM FRIENDS OF TURNER DODGE FOR CONSTRUCTION OF PERGOLA AT TURNER DODGE. REVENUE DETAIL ACCOUNT 101-0-675003-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$128,814.20	FUND BALANCE-ACT 51 (M) 202-0-390001-0	TRUNKLINE MAINT.-ODD YEARS 202-453633-746701-0

(REAPPROPRIATE BALANCE OF (STATE) FY 97 STATE TRUNKLINE FUNDING REPRESENTING JULY, AUGUST, SEPTEMBER ACTIVITY.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$500	EST REV-GENERAL FUND 101-0-170001-0	POLICE DEPT-CONTROL 101-343201-992200-0
\$500	POLICE-DEPT-CTRL 101-343201-992200-0	DONATIONS- C.U.T.T 101-343201-741895-0

(DONATION FROM WAL-MART STORES FOR CITIZENS UNITED TO TRACK TRUANTS. REVENUE DETAIL ACCOUNT 101-0-675387.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,048,000	EST REV-HOME PROGRAM 263-0-170001-0	
\$558,000		HOUSING REHAB 263-932663-975201-09700

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$100,000		DWNPMNT ASSIST 263-932663-975005-09700
\$ 75,000		NEW CONSTRUCTION 263-932663-975004-09700
\$ 60,000		SALARIES 263-932669-702000-09700
\$ 40,000		FRINGES 263-932669-715000-09700
\$ 4,800		MISC & OPER 263-932669-741000-09700
\$ 52,400		CHDO-MISC. & OPER. 263-932674-741000-09700
\$157,200		CHDO HOUSING REHAB. 263-932674-975201-09700

(FY 97-98 HOME PROGRAM IMPLEMENTATION.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

RESOLUTION #571  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING FY 97 TRANSFERS BE APPROVED:

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$10,000	HOME-SALARIES 263-932669-741000-09500	MISC. & OPER. EXP. 263-932669-741000-09500

(MEET CONTRACT OBLIGATIONS TO HOUSING RESOURCE CENTER AND FUND MISCELLANEOUS EXPENSES COVERED UNDER THE HOME PROGRAM.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,000	EST REV-HOME 263-0-170001-0	HOUSING REHAB.-RESIDENTIAL 263-932663-975201-09600

FEDERAL GRANT AWARD INCREASE. REVENUE DETAIL ACCOUNT 263-0-535000-09600.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$7,377.93	EST REV-HOME 263-0-170001-0	HOUSING REHAB-RESIDENTIAL 263-932663-975201-09600

(INTEREST INCOME TO PROGRAM. (REVENUE DETAIL



ACCOUNT 263-0-670000.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$14,992	CDBG SUPP. TO NEIGHBORHOOD IMPROV. 252-932668-970001- 32000	
\$6,400	CDBG COMM. POLICING RECR. Prog 252-932672- 741014-32000	
\$13,018		CDBG PUBLIC SERVICE SALARIES 252-932673- 702000-32000
\$8,374		CDBG COMM. POLICING RECR. PROG. WAGES 252- 932672-707014-32000

(CLASSIFICATION OF WAGE EXPENSES INTO PROPER ACCOUNT TYPE, RATHER THAN SHOWN AS GENERAL PROJECT ACTIVITY.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$40,830.48	EST REV-ACT 51 (M) 202-0- 390001-0	TRUNKLINE MAINT.-EVEN 202-453633-746704-0

(COSTS INVOICED TO STATE FOR TRUNKLINE MAINT. REVENUE RECEIVED FOR FY 96 JULY-SEPT. PERIOD.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #572**  
**BY THE COMMITTEE ON WAYS AND MEANS**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, AT THE TIME OF BUDGET ADOPTION, A TOTAL OF \$7,221,375 WAS FORECAST TOWARD THE CITY'S 7 YEAR PLAN TO REPAIR ROADS, AND

WHEREAS, AS PART OF THIS ROAD FUNDING PACKAGE, RESOLUTION #269 OF 1997 PROVIDED FOR THE YEAR END ADMINISTRATIVE TRANSFER OF AN ESTIMATED \$1,700,000 TO THE INFRASTRUCTURE FUND FOR ROAD MAINTENANCE FROM ESTIMATED FY 97 GENERAL FUND RESIDUALS, AND

WHEREAS, RESOLUTION #269, THE ADOPTED FY 98 CITY BUDGET, AND THE BUDGET STABILIZATION FUND ORDINANCE PROVIDED FOR THE ADMINISTRATIVE TRANSFER OF 25% OF YEAR END GENERAL FUND RESIDUALS TO THE BUDGET STABILIZATION FUND, AND SUCH TRANSFER WAS ESTIMATED AT \$700,000; AND

WHEREAS, AS PART OF THE ROAD FUNDING PACKAGE THE ADOPTED FY 98 CITY BUDGET PROVIDED FOR \$200,000

IN CONTINGENT APPROPRIATIONS AND CONTINGENT REVENUE WITHIN THE ACT 51 LOCAL STREETS FUND, AWAITING ANTICIPATED STATE ACTION ON PENDING LEGISLATION TO USE THE STATE'S BUDGET STABILIZATION FUND (BSF) TO FUND ROAD REPAIRS DURING THE 1997 CONSTRUCTION SEASON, AND

WHEREAS, ACTUAL GENERAL FUND RESIDUALS TOTALED \$2,152,079, WHICH AFTER ALLOWANCE FOR 25% (\$538,020) OF SAID RESIDUALS TOWARD THE BUDGET STABILIZATION FUND, LEFT \$1,614,059 AVAILABLE FOR TRANSFER TO THE INFRASTRUCTURE FUND FOR ROAD MAINTENANCE, AND

WHEREAS, IN PROVIDING SUPPLEMENTAL ROAD FUNDING FROM ITS BUDGET STABILIZATION FUND, THE STATE LIMITED THE USE OF SUCH FUNDING TO PROJECTS ELIGIBLE FOR FEDERAL AID, WHICH WERE BID AFTER AUGUST 1, 1997, AND WHICH WERE APPROVED BY THE MICHIGAN DEPARTMENT OF TRANSPORTATION, AND

WHEREAS, THESE LIMITATIONS PREVENT USE OF BSF FUNDS FOR LOCAL STREET PROJECTS, AS BUDGETED ON A CONTINGENT BASIS IN THE FY 98 BUDGET; AND

WHEREAS, THE MICHIGAN DEPARTMENT OF TRANSPORTATION HAS APPROVED USE OF SUCH BSF FUNDS TOTALING \$374,073 FOR REPAIRS TO MT. HOPE AVENUE BETWEEN AURELIUS AND THE EAST CITY LIMITS, AND

WHEREAS, THE NET RESULT OF THESE CHANGES SINCE BUDGET ADOPTION IS ESTIMATED ROAD FUNDING OF \$7,309,375, OR \$88,132 MORE THAN HAD BEEN ESTIMATED WITH ADOPTION OF THE FY 98 BUDGET.

NOW THEREFORE BE IT RESOLVED THAT APPROPRIATIONS WITHIN ACCOUNT 203-453601-974100-0 AND RELATED ESTIMATED REVENUE WITHIN THE ACT 51 LOCAL STREETS FUND BE REDUCED BY \$200,000, AND

BE IT FINALLY RESOLVED THAT ESTIMATED REVENUE WITHIN THE ACT 51 MAJOR STREETS FUND BE INCREASED BY \$374,073, AND THAT THIS AMOUNT BE APPROPRIATED TO ACCOUNT 202-453601-97410050002 FOR RECONSTRUCTION OF MT. HOPE BETWEEN AURELIUS AND THE EAST CITY LIMITS.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #573**  
**BY THE COMMITTEE ON WAYS & MEANS**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

WHEREAS, THE CITY OF LANSING IS NAMED AS A DEFENDANT IN THE LAWSUIT ENTITLED TENMER MEADOW ASSOCIATES v CITY OF LANSING FEDERAL TAX ID NO. 11-2946445, CASE NO. 94-52591, CHAPTER 11, TENMER OWNED AND OPERATED A 140 UNIT MULTI-FAMILY APARTMENT COMPLEX, WHAT IS COMMONLY KNOWN AS 6300



BEECHFIELD IN LANSING, MICHIGAN. THE PROPERTY ADDRESSES AND TAX PARCEL NUMBERS FOR TENMER MEADOWS ARE:

ADDRESS	TAX PARCEL NUMBER
6124 BEECHFIELD DR	3305-10-201-061-6
6209 BEECHFIELD DR	3305-10-202-051-8
6300 BEECHFIELD DR	3305-10-251-025-7
6301 BEECHFIELD DR	3305-10-251-302-1

THE CITY PREVIOUSLY ASSESSED THE TRUE CASH VALUE OF TENMER IN 1990, 1991, 1992, 1993, 1994 AND 1995 FOR THE PURPOSE OF DETERMINING THE REAL PROPERTY TAX LIABILITY FOR THE APARTMENT COMPLEX. BY VIRTUE OF THE ADVERSARIAL PROCEEDINGS, TENMER IS SEEKING TO REDUCE THE ASSESSMENTS AND TRUE CASH VALUES FOR THE PREVIOUSLY MENTIONED TAX YEARS.

WHEREAS, IT IS PROPOSED THAT SAID LAWSUIT BE RESOLVED BY ENTERING INTO A SETTLEMENT AGREEMENT IN WHICH THE CITY WOULD AGREE TO REDUCE THE 1995 ASSESSMENT, THEREBY LOWERING THE ASSESSED VALUE OF THE PROPERTY FOR 1995, AND IN ADDITION MAKE A REFUND PAYMENT TO TENMER MEADOWS ASSOCIATES IN THE AMOUNT OF \$8,145.00 WITH NO INTEREST BEING ASSESSED ON THIS AMOUNT;

WHEREAS, THE PROPOSED SETTLEMENT IS RECOMMENDED BY THE WAYS & MEANS COMMITTEE, THE CITY ASSESSOR AND IS CONCURRED IN BY THE CITY ATTORNEY,

NOW, THEREFORE, BE IT RESOLVED THAT LANSING CITY COUNCIL HEREBY APPROVES THE REDUCTION IN THE 1995 ASSESSMENT, THEREBY LOWERING THE ASSESSED VALUE OF THE PROPERTY FOR 1995, AND IN ADDITION MAKE A REFUND PAYMENT TO TENMER MEADOWS ASSOCIATES IN THE AMOUNT OF \$8,145.00 WITH NO INTEREST BEING ASSESSED ON THIS AMOUNT.

BE IT FINALLY RESOLVED THAT THE LAW DEPARTMENT IS AUTHORIZED TO PREPARE AND EXECUTE THE REQUISITE DOCUMENTS TO COMPLETE SETTLEMENT OF THE AFOREMENTIONED LAWSUIT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #574**  
BY COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, IT IS AN OBJECTIVE OF THE CITY OF LANSING TO WORK IN PARTNERSHIP WITH OTHER ORGANIZATIONS TO PROVIDE TO ALL CITIZENS THE OPPORTUNITY FOR AFFORDABLE OWNER OCCUPIED HOUSING IN THE COMMUNITY; AND

WHEREAS, A PROPOSAL HAS BEEN MADE BY A NONPROFIT HOUSING CORPORATION IN PARTNERSHIP WITH A PRIVATE DEVELOPER TO CONSTRUCT 57 NEW SINGLE FAMILY HOMES

IN THE LINDELL AREA OF THE RENAISSANCE ZONE; AND

WHEREAS, THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY HAS CREATED THE HOUSING RESOURCE FUND, A LOAN PROGRAM INTENDED TO PROVIDE FUNDS AND WRITE DOWN DEVELOPMENT COSTS TO ASSIST IN THE PRODUCTION OF AFFORDABLE HOUSING IN RENAISSANCE ZONES; AND

WHEREAS, THE CITY, AS A POTENTIAL PARTNER WITH THE NONPROFIT AND PRIVATE DEVELOPER, HAS PREPARED A HOUSING RESOURCE FUND APPLICATION IN THE APPROXIMATE AMOUNT OF \$1,000,000.00 TO FINANCE INFRASTRUCTURE AND OTHER PUBLIC IMPROVEMENTS ASSOCIATED WITH THE DEVELOPMENT OF THE 57 SINGLE FAMILY HOUSING UNIT PROJECT; AND

WHEREAS, THE CITY IS PROPOSING IN THE APPLICATION THAT THE LOAN BE INTEREST FREE AND FORGIVABLE OVER TIME AS AFFORDABLE HOMES ARE CONSTRUCTED AND SOLD TO INCOME ELIGIBLE FAMILIES; AND

WHEREAS, THE CITY WILL SERVE AS THE GRANTEE FOR THE FUNDS AND THE NONPROFIT HOUSING CORPORATION WILL SERVE AS A SUB-RECIPIENT OF THE CITY TO ASSURE THAT THE FUNDS ARE SPENT TO CONSTRUCT INFRASTRUCTURE TO CARRY OUT THE PROJECT AS INTENDED; AND

WHEREAS, THE CITY WILL PROVIDE THE REQUIRED 10% LOCAL MATCH FOR THE LOAN (\$100,000) BY UTILIZING FUNDS FROM ITS HOME AND CDBG PROGRAMS TO ASSIST IN THE DEVELOPMENT OF THE SUBDIVISION;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL AUTHORIZE THE ADMINISTRATION TO APPLY FOR THE HOUSING RESOURCES FUND LOAN, AND TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE LOAN APPLICATION.

BE IT FINALLY RESOLVED THAT THE CITY COUNCIL SHALL CONDUCT A FINAL REVIEW OF THE LOAN AGREEMENT, SHOULD THE APPLICATION BE APPROVED BY MSHDA AND THE FUNDS OFFERED TO THE CITY, AND GIVE FINAL APPROVAL PRIOR TO THE ADMINISTRATION SIGNING THE FINAL DOCUMENTS TO ACCEPT THE LOAN.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #575**  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, FEDERAL FUNDS BECAME AVAILABLE THROUGH THE STATE OFFICE OF DRUG CONTROL POLICY FOR STREET LEVEL DRUG ENFORCEMENT IN THE SPRING OF 1987; AND

WHEREAS THE CITY, AS THE GRANTEE, SUBMITTED AN APPLICATION FOR A COMMUNITY POLICING STRATEGIES GRANT AS A CONTINUATION OF THE R. E. A. C. H. PROGRAM



FOR THE LANSING POLICE DEPARTMENT; AND

WHEREAS, THE CITY HAS BEEN RECENTLY ADVISED THAT A GRANT IN THE TOTAL AMOUNT OF \$629,418 (FEDERAL SHARE \$374,652; LOCAL MATCH OF \$254,766) HAS BEEN APPROVED; AND

WHEREAS, THESE MONIES WILL BE USED TO PAY PERSONNEL EXPENSES TOTALING \$587,794 FOR SALARIES AND FRINGE BENEFITS, AND AN ADDITIONAL \$38,828 FOR A SUBCONTRACT WITH THE LANSING NEIGHBORHOOD COUNCIL. TOTAL CITY STAFFING WILL INCLUDE FOUR (4) COMMUNITY POLICE OFFICERS, ONE (1) DARE YOUTH COORDINATOR P.O. I, ONE (1) LANDLORD/TENANT DETECTIVE, ONE (1) COMMUNITY POLICE OFFICER SERGEANT, AND ONE (1) ASSISTANT CITY ATTORNEY (BIWEEKLY CONTRACTUAL POSITION, PAID \$50,904 IN WAGES AND \$10,181 FOR HEALTH CARE AND OTHER BENEFITS). THE CONTRACT WITH THE LANSING NEIGHBORHOOD COUNCIL PROVIDES CONTRACT SALARIES FOR ONE (1) LANDLORD/TENANT ORGANIZER AND PART-TIME SECRETARIAL HELP, AND \$2,796 FOR NECESSARY SUPPLIES AND OPERATING EXPENSES; AND

WHEREAS, GRANT MATCHING FUNDS OF \$320,598 WERE ALLOCATED IN THE LANSING POLICE DEPARTMENT OPERATING TRANSFER GRANT MATCH ACCOUNT (A/C 101-966000-991265-0) TO COVER R.E.A.C.H. MATCHING REQUIREMENTS FOR THIS GRANT, AND WHEREAS AN ADDITIONAL \$74,805 IS AVAILABLE FROM FORFEITURE FUND R.E.A.C.H. FUND BALANCE; AND

WHEREAS, THE MAYOR HAS RECOMMENDED ACCEPTANCE OF THIS GRANT;

NOW, THEREFORE, IS IT RESOLVED, THE LANSING CITY COUNCIL APPROVES ACCEPTANCE OF FEDERAL GRANT FUNDS IN THE AMOUNT OF \$629,418 FOR THE CONTINUATION OF THE R.E.A.C.H. PROGRAM AS A COMMUNITY POLICING STRATEGIES GRANT; AND

FURTHER, THAT THE REACH FORFEITURE FUND FUND BALANCE OF \$74,805 WILL BE UTILIZED IN COMBINATION WITH A PARTIAL APPROPRIATION FROM THE LANSING POLICE DEPARTMENT OPERATING TRANSFER-GRANT MATCH ACCOUNT, TO EQUAL THE TOTAL LOCAL MATCH REQUIREMENT OF \$254,766; AND

BE IT FINALLY RESOLVED, THAT THE ADMINISTRATION IS HEREBY GRANTED ADMINISTRATIVE TRANSFER AUTHORITY TO CREATE APPROPRIATE ACCOUNTS AND MAKE NECESSARY TRANSFERS FOR THE ADMINISTRATION OF THE GRANT OR AS APPROVED BY THE GRANTOR.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

RESOLUTION #576  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, FOR THE SIXTH STRAIGHT YEAR THE POTTER PARK ZOOLOGICAL SOCIETY MEMBERS AND ASSOCIATED VOLUNTEERS WILL PROVIDE A WONDERLAND OF LIGHTS AT POTTER PARK ZOO DURING THE HOLIDAY SEASON; AND

WHEREAS, IT IS RECOMMENDED A FEE OF \$1.00 PER PERSON BE ESTABLISHED FOR THIS EVENT WITH PERSONS AGES 2 AND UNDER BEING ADMITTED FREE; AND

WHEREAS, IT IS RECOMMENDED THE REGULAR ZOO ADMISSION FEE OF \$2.50 PER ADULT AND \$1.00 PER CHILD AND THE VEHICULAR ENTRY FEE NOT BE COLLECTED DURING THIS EVENT.

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL HEREBY RESCINDS THE REGULAR PARKING FEE AND THE REGULAR ZOO ADMISSION FEE AND ADOPTS AN ENTRANCE FEE OF \$1.00 PER PERSON WITH CHILDREN AGES 2 AND UNDER BEING ADMITTED FREE COMMENCING ON THE WEEKEND PRIOR TO THANKSGIVING THROUGH NEW YEAR'S EVE BETWEEN THE HOURS OF 5:00 P.M. AND 8:00 P.M., EXCLUDING CHRISTMAS EVE DAY AND CHRISTMAS DAY WHEN THE ZOO IS CLOSED; AND

BE IT FURTHER RESOLVED THAT THE FEE SHALL BE ALLOCATED AFTER PAYMENT OF COLLECTION EXPENSES AND ZOO SOCIETY DIRECT COSTS TO PUT ON THE EVENT AND AFTER A FINANCIAL AUDIT IS PRESENTED TO THE WAYS AND MEANS COMMITTEE, ONE-THIRD TO THE POTTER PARK ZOOLOGICAL SOCIETY, ONE-THIRD TO THE POTTER PARK ZOO CAPITAL IMPROVEMENT ACCOUNT, AND ONE-THIRD TO THE POTTER PARK OPERATING REVENUES; AND

BE IT FURTHER RESOLVED THAT CHILDREN AGES 15 AND UNDER MUST BE WITH AN ADULT TO ENTER THE ZOO; AND

BE IT FINALLY RESOLVED THAT COMMENCING NEW YEAR'S DAY, THE REGULAR PARKING FEE OF \$1.50 PER VEHICLE AND THE REGULAR ZOO ADMISSION FEE OF \$2.50 PER ADULT AND \$1.00 PER CHILD SHALL AGAIN COMMENCE.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

RESOLUTION #577  
BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING AND THE LANSING CITY UNIT, LOCAL 2256, U.A.W. HAVE NEGOTIATED A LABOR AGREEMENT FOR THE PERIOD COVERING OCTOBER 2, 1997 THROUGH OCTOBER 1, 2000, AND

WHEREAS, THE LANSING CITY UNIT, LOCAL 2256, U.A.W. MEMBERSHIP HAS RATIFIED THIS AGREEMENT; AND

WHEREAS, THE MAYOR HAS RECOMMENDED THAT THE CONTRACT BE APPROVED; AND

WHEREAS, THE CITY COUNCIL HAS REVIEWED THE



CONTRACT PROVISIONS; AND

WHEREAS, THE PROPOSED AGREEMENT IS WITHIN THE PARAMETERS ESTABLISHED BY THE CITY AND WITHIN BUDGET LIMITATIONS;

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY COUNCIL HEREBY RATIFIES THE CONTRACT BETWEEN THE CITY OF LANSING AND THE LANSING CITY UNIT, LOCAL 2256, U.A.W. FOR THE PERIOD OCTOBER 2, 1997 THROUGH OCTOBER 1, 2000; AND

BE IT FURTHER RESOLVED, THAT THE COMMITTEE OF THE WHOLE AUTHORIZES THE ADMINISTRATION TO PROCESS THE NECESSARY TRANSFERS TO THE APPROPRIATE SALARY AND FRINGE BENEFIT ACCOUNTS TO FUND THIS AGREEMENT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER ALLEN

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER ALLEN

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON PUBLIC SAFETY

BY COUNCILMEMBER ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 5 BY ADDING A NEW SECTION, SECTION 5.52(A) FOR THE PURPOSE OF DOUBLING THE FINES FOR MOVING VIOLATIONS IN CONSTRUCTION ZONES, AT EMERGENCY SCENES AND IN SCHOOL ZONES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON PUBLIC SAFETY

BY COUNCILMEMBER ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 5 BY ADDING A NEW SECTION, SECTION 5.52(A) FOR THE PURPOSE OF DOUBLING THE FINES FOR MOVING VIOLATIONS IN CONSTRUCTION ZONES, AT EMERGENCY SCENES AND IN SCHOOL ZONES, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

#### ORDINANCE NO. 976

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 5 AND ADDING A NEW SECTION 5.52A FOR THE PURPOSE OF DOUBLING THE FINES FOR MOVING VIOLATIONS IN CONSTRUCTION ZONES, AT EMERGENCY SCENES, AND IN SCHOOL ZONES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO ADD A NEW SECTION 5.52A TO READ AS FOLLOWS:

SEC. 5.52A. MOVING VIOLATIONS IN CONSTRUCTION ZONES, AT EMERGENCY SCENES, OR IN SCHOOL ZONES; DOUBLE FINE

(1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, A PERSON RESPONSIBLE FOR A MOVING VIOLATION IN A CONSTRUCTION ZONE, AT AN EMERGENCY SCENE, OR IN A SCHOOL ZONE DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SCHOOL IN THE MORNING AND THROUGH 30 MINUTES AFTER SCHOOL IN THE AFTERNOON IS SUBJECT TO A FINE THAT IS DOUBLE THE FINE OTHERWISE PRESCRIBED FOR THAT MOVING VIOLATION.

(2) WHENEVER PRACTICAL, SIGNS DESIGNED IN COMPLIANCE WITH THE UNIFORM MANUAL OF TRAFFIC CONTROL DEVICES SHALL BE APPROPRIATELY PLACED AT THE CONSTRUCTION ZONE BY THE STATE TRANSPORTATION DEPARTMENT OR ROAD AUTHORITY HAVING JURISDICTION OVER THE CONSTRUCTION ZONE NOTIFYING OPERATORS OF VEHICLES THAT FOR THE PROTECTION AND SAFETY OF CONSTRUCTION WORKERS THE FINE FOR A MOVING VIOLATION IN THIS WORK AREA IS DOUBLE THE FINE OTHERWISE PRESCRIBED FOR THAT MOVING VIOLATION.

(3) AS USED IN THIS SECTION:

(A) "CONSTRUCTION ZONE" MEANS A DESIGNATED WORK AREA WHERE A NORMAL LANE OR PART OF A LANE OF TRAFFIC HAS BEEN CLOSED DUE TO HIGHWAY OR ROADWAY CONSTRUCTION, MAINTENANCE, OR SURVEYING ACTIVITIES.

(B) "EMERGENCY SCENE" MEANS A TRAFFIC ACCIDENT, A SERIOUS INCIDENT CAUSED BY WEATHER CONDITIONS, OR ANOTHER OCCURRENCE ALONG A HIGHWAY OR STREET FOR WHICH A POLICE OFFICER, FIREFIGHTER, OR EMERGENCY MEDICAL PERSONNEL ARE SUMMONED TO AID AN INJURED VICTIM.

(C) "MOVING VIOLATION" MEANS AN ACT OR OMISSION PROHIBITED UNDER THIS CODE THAT OCCURS WHILE A PERSON IS OPERATING A MOTOR VEHICLE, AND FOR WHICH THE PERSON IS SUBJECT TO A FINE.

(D) "SCHOOL ZONE" MEANS SCHOOL PROPERTY ON WHICH A SCHOOL BUILDING IS LOCATED AND THE AREA ADJACENT TO THE SCHOOL PROPERTY WHICH IS



DESIGNATED BY SIGNS INDICATING THE AREA TO BE A SCHOOL ZONE. EXCEPT AS OTHERWISE PROVIDED, THE SCHOOL ZONE SHALL EXTEND NOT MORE THAN 1,000 FEET FROM THE PROPERTY LINE OF THE SCHOOL IN EACH DIRECTION.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER JONES

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE ON WAYS AND MEANS

BY COUNCILMEMBER JONES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 206 BY ADDING A NEW SECTION, 206.23 FOR THE PURPOSE OF PROVIDING FOR THE PREVENTION OF PURCHASING, LEASING, RENTING, OR TAKING ON CONSIGNMENT GOODS FOR USE OR RESALE BY THE CITY, OR CITY OWNED ENTERPRISE, WHICH WERE PRODUCED OR MANUFACTURED UNDER SWEATSHOP CONDITIONS, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON WAYS AND MEANS

BY COUNCILMEMBER JONES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 206 BY ADDING A NEW SECTION, 206.23 FOR THE PURPOSE OF PROVIDING FOR THE PREVENTION OF PURCHASING, LEASING, RENTING, OR TAKING ON CONSIGNMENT GOODS FOR USE OR RESALE BY THE CITY, OR CITY OWNED ENTERPRISE, WHICH WERE PRODUCED OR MANUFACTURED UNDER SWEATSHOP CONDITIONS, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

#### ORDINANCE NO. 977

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 206.01 BY ADDING A NEW DEFINITION PROVISION AND BY ADDING A NEW SECTION 206.23 PROVIDING FOR THE PREVENTION OF PURCHASING, LEASING, RENTING, OR TAKING ON CONSIGNMENT GOODS FOR USE OR FOR RESALE BY THE CITY OR CITY OWNED ENTERPRISES WHICH WERE PRODUCED OR MANUFACTURED UNDER SWEATSHOP CONDITIONS.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT PART TWO, CHAPTER 206 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO ADD A NEW DEFINITION PROVISION TO SECTION 206.01 AND TO ADD A NEW SECTION 206.23 TO READ AS FOLLOWS:

#### 206.01 DEFINITIONS AS USED IN THIS CHAPTER:

(A) "CONSTRUCTION" MEANS THE PROCESS OF BUILDING, ALTERING, REPAIRING, IMPROVING OR DEMOLISHING ANY CITY STRUCTURE OR BUILDING, OR OTHER CITY IMPROVEMENTS OF ANY KIND TO ANY CITY REAL PROPERTY.

(B) "CONTRACT" MEANS ALL TYPES OF CITY AGREEMENTS, REGARDLESS OF WHAT THEY MIGHT BE CALLED, FOR THE PROCUREMENT OF SUPPLIES, SERVICES OR CONSTRUCTION.

(C) "CONTRACTOR" MEANS ANY PERSON HAVING A CONTRACT WITH THE CITY.

(D) "DIRECTOR" MEANS THE CITY CONTROLLER.

(E) "INVITATION FOR BIDS" MEANS THE COMPLETE ASSEMBLY OF RELATED DOCUMENTS, WHETHER ATTACHED OR INCORPORATED BY REFERENCE, FURNISHED PROSPECTIVE BIDDERS FOR THE PURPOSE OF SOLICITING SEALED BIDS.

(F) "LOCAL BIDDER" MEANS A BIDDER WHOSE BUSINESS IS LOCATED WITHIN THE CITY.

(G) "PROCUREMENT" MEANS PURCHASING, RENTING, LEASING OR OTHERWISE ACQUIRING FOR MONETARY CONSIDERATION ANY SUPPLIES, SERVICES OR CONSTRUCTION ITEMS FOR THE CITY.

(H) "REQUEST FOR PROPOSALS" MEANS ALL DOCUMENTS, WHETHER ATTACHED OR INCORPORATED BY REFERENCE, UTILIZED FOR SOLICITING PROPOSALS.

(I) "RESPONSIBLE BIDDER" OR "OFFEROR" MEANS A PERSON WHO HAS THE CAPABILITY IN ALL RESPECTS TO PERFORM FULLY THE CONTRACT REQUIREMENTS AND WHO FITS THE CRITERIA IDENTIFIED IN SECTION 206.02(A)(1)(H).

(J) "RESPONSIVE BIDDER" MEANS A PERSON WHO HAS SUBMITTED A BID WHICH CONFORMS IN ALL RESPECTS TO THE REQUIREMENTS SET FORTH IN THE INVITATION FOR BIDS.

(K) "SERVICES" MEANS THE FURNISHING OF LABOR, TIME OR EFFORT BY A PERSON, EXCEPT THAT THE TERM DOES NOT INCLUDE THE FURNISHING OF LABOR, TIME OR EFFORT BY ANY CITY EMPLOYEE, WHETHER PERFORMED PURSUANT TO A COLLECTIVE BARGAINING AGREEMENT OR NOT, OR APPOINTED OR ELECTED OFFICIALS, OR THE HIRING OF



OUTSIDE LEGAL COUNSEL OR EXPERT WITNESSES TO ASSIST THE LAW DIRECTOR IN LEGAL MATTERS, OR THE HIRING OF EXTERNAL AUDITORS, OR THE UTILIZATION OF MONEYS FROM THE MAYOR'S OR COUNCIL MEMBERS, COMMUNITY PROMOTION ACCOUNTS.

(I) "SUPPLIES" MEANS ALL PROPERTY, INCLUDING BUT NOT LIMITED TO, EQUIPMENT, MATERIALS AND PRINTING, BUT EXCLUDING INSURANCE, ANY LAND OR ANY INTEREST IN LAND OR ANY BENEFIT THAT IS SPECIFICALLY PROVIDED FOR IN ANY COLLECTIVE BARGAINING AGREEMENT, OR THE UTILIZATION OF MONEYS FROM THE MAYOR'S OR COUNCIL MEMBERS, COMMUNITY PROMOTION ACCOUNTS.

(M) "SWEATSHOP" MEANS A SHOP OR FACTORY WHERE EMPLOYEES WORK UNDER SWEATSHOP CONDITIONS AS DETERMINED BY THE FACTORS SET FORTH IN SECTION 206.23(D).

(N) "USING AGENCY" MEANS COUNCIL OR A CITY DEPARTMENT, DIVISION, AGENCY, COMMISSION, BOARD OR OTHER UNIT OF CITY GOVERNMENT, BUT DOES NOT INCLUDE THE BOARD OF WATER AND LIGHT, THE HOUSING COMMISSION, LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY (LEPFA), THE ECONOMIC DEVELOPMENT CORPORATION AND THE TAX INCREMENT FINANCE AUTHORITY.

206.23 PURCHASING, LEASING, RENTING, OR TAKING ON CONSIGNMENT GOODS FOR USE OR FOR RESALE BY CITY OWNED ENTERPRISES

(A) THE CITY SHALL NOT, TO THE EXTENT POSSIBLE, PURCHASE, LEASE, RENT, OR TAKE ON CONSIGNMENT GOODS OR SUPPLIES FOR USE OR FOR RESALE AT CITY OWNED ENTERPRISES WHICH WERE PRODUCED OR MANUFACTURED UNDER SWEATSHOP CONDITIONS.

(B) THE CITY, TO THE EXTENT POSSIBLE, SHALL MAINTAIN A POLICY OF EVALUATING SUPPLIERS' PRODUCTS CONCERNING THE WORKING CONDITIONS UNDER WHICH THE PRODUCTS ARE PRODUCED OR MANUFACTURED.

(C) THE CITY, TO THE EXTENT POSSIBLE, SHALL NOTIFY ITS SUPPLIERS OF THIS POLICY IN WRITING AND INQUIRE ABOUT THE WORKING CONDITIONS UNDER WHICH THEIR GOODS ARE PRODUCED OR MANUFACTURED. TO THE EXTENT POSSIBLE, GOODS OR SUPPLIES FROM SUPPLIERS WHO REFUSE TO STATE THAT THEIR PRODUCTS ARE NOT MADE UNDER SWEATSHOP CONDITIONS SHALL NOT BE PURCHASED.

(D) IN DETERMINING WHETHER PRODUCTS ARE MADE UNDER SWEATSHOP CONDITIONS, THE CITY SHALL CONSIDER THE FOLLOWING FACTORS:

(1) CHILD LABOR. WHETHER THE SHOP OR FACTORY, EMPLOYS ANYBODY YOUNGER THAN THE LEGAL AGE FOR CHILDREN TO WORK IN THE COUNTRY IN WHICH THE SHOP OR FACTORY IS LOCATED, AND REGARDLESS OF THE LEGAL AGE, EMPLOYS ANYBODY YOUNGER THAN AGE 15.

(2) FORCED LABOR. WHETHER THE SHOP OR FACTORY USES FORCED LABOR OF ANY KIND—PRISON LABOR, INDENTURED LABOR OR BONDED LABOR. THIS SUBSECTION DOES NOT APPLY TO COMPENSATED PRISON LABOR.

(3) WAGES AND BENEFITS. WHETHER THE SHOP

OR FACTORY IN THE COUNTRY IN WHICH THE PRODUCTS ARE PRODUCED PAYS A WAGE WHICH ENABLES ITS EMPLOYEES TO MEET THEIR BASIC NEEDS FOR FOOD, SHELTER, CLOTHING AND MEDICAL CARE AND TO SET ASIDE MONEY FOR FUTURE PURCHASES. THE SHOP OR FACTORY ALSO PROVIDES ALL BENEFITS REQUIRED BY LAW IN THE COUNTRY IN WHICH THE PRODUCTS ARE PRODUCED.

(4) HOURS OF WORK. WHETHER EMPLOYEES ARE REQUIRED TO WORK MORE THAN 48 HOURS PER WEEK OR LESS IF THE LAW OF THE COUNTRY IN WHICH THE FACTORY IS LOCATED SETS A SHORTER WORK WEEK.

THIS SUBSECTION DOES NOT APPLY TO COMPENSATED OVERTIME.

(5) WORKER RIGHTS. WHETHER THE SHOP OR FACTORY HAS AN ESTABLISHED POLICY TO CREATE A WORKPLACE FREE FROM PHYSICAL, SEXUAL OR VERBAL HARASSMENT, AND WHETHER EMPLOYEES HAVE THE RIGHT TO SPEAK UP ABOUT CONDITIONS IN THE SHOP OR FACTORY WITHOUT FEAR OF RETALIATION AND HAVE THE RIGHT TO FORM UNIONS OF THEIR OWN CHOOSING WITHOUT EMPLOYER INTIMIDATION.

(6) HEALTH AND SAFETY. WHETHER THE FACTORY PROVIDES A SAFE AND HEALTHY WORKING ENVIRONMENT.

(7) UNION LABOR. A FACTORY CONSISTING OF INDEPENDENT UNIONIZED LABOR EMPLOYEES IS PRESUMED TO BE IN COMPLIANCE WITH THIS ORDINANCE.

(E) THE CITY'S FINANCE DIRECTOR OR THE HUMAN RESOURCES AND COMMUNITY SERVICES DIRECTOR AND/OR THEIR DESIGNEE MAY PROMULGATE NECESSARY RULES FOR THE ENFORCEMENT OF THIS ORDINANCE.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

## OTHER BUSINESS

### ► PUBLIC COMMENT ON CITY RELATED MATTERS

COUNCILMEMBER LILLY LEFT THIS MEETING OF THE LANSING CITY COUNCIL AT 8:45 P.M. AND WAS EXCUSED BY PRESIDENT BEAL

HELEN FISER OF 12100 S. CORK IN MORRICE CRITICIZED THE ACTIVITIES OF CAMP DRESSER AND MCKEE, THE CONSULTING FIRM ENGAGED TO STUDY THE CSO PROJECT AND RELATED STORM WATER ENTERPRISE FUND FINANCING MECHANISM.

BILL HODGE OF 1246 DAKIN SAID THAT HE IS A WRITE-IN CANDIDATE FOR ONE OF THE AT-LARGE CITY COUNCIL SEATS. HE DECIDED TO RUN FOR THIS SEAT BECAUSE THE



LORD ASKED HIM TO. HE SAID THAT HE WILL BE GOING ON "RIDE-ALONGS" WITH LPD OFFICERS AND HE WILL BE LISTENING TO WHAT THE RESIDENTS OF THE CITY WANT. LANSING VOTERS WILL NOW HAVE A "VOICE" ON CITY COUNCIL.

FRANK CURTIS "X", NO ADDRESS GIVEN SPOKE IN SUPPORT OF THE CITIZENS REVIEW BOARD BALLOT ISSUE. HE SAID THAT LANSING RESIDENTS NEED TO GET ON WITH THE BUSINESS OF TAKING CARE OF THEIR KIDS.

GARY LINN OF 121 S. FOSTER CRITICIZED THE RENTAL PROPERTY REGISTRATION PROGRAM, SAYING, IT SHOULD BE PATTERNED AFTER THE POLICE DEPARTMENT. TEN PERCENT OF LANSING RENTALS ARE OWNED BY SLUMLORDS. HE IS HAVING ONE OF HIS HOUSES REINSPECTED AGAIN BY THE BUILDING SAFETY DIVISION. THIS DEPARTMENT IS CONCENTRATING ON THE WRONG LANDLORDS. THERE ARE A NUMBER OF LANDLORDS WHO ARE CIRCUMVENTING THIS PROGRAM. THIS WAS NOTED IN A RECENT STATE JOURNAL ARTICLE AND WAS DISCOVERED BECAUSE OF THE FILING OF HOMESTEAD EXEMPTION CERTIFICATES.

WILLY WILLIAMS OF 505 W. LENAWEE SAID HELLO, TO HIS GRANDDAUGHTER, ALEXIS. HE CRITICIZED COUNCILMEMBER BEAL, SAYING THAT SHE IS GETTING MORE SARCASTIC AND DISRESPECTFUL AS TIME GOES ON. HE STATED THAT THE CITY CLERK'S OFFICE HAS NO RECORD OF MR. TEETS PURCHASING A CITY OF LANSING CODE BOOK, AND IF IT WAS GIVEN TO HIM BY SOMEONE, HE IS NOT RECEIVING UPDATED SUPPLEMENTS TO IT, AND IT IS HOPELESSLY OUTDATED. HE COMMENTED REGARDING THE 4TH WARD COUNCIL RACE.

DARNELL OLDHAM, SR. OF 3815 BERWICK DR. SAID THAT HE IS VERY PROUD TO BE A MEMBER OF THE CITIZENS REVIEW BOARD COMMITTEE. HE CALLED THE LANSING POLICE DEPARTMENT "AN EMPLOYMENT AGENCY FOR PEOPLE WHO ARE OUT BREAKING THE LAW". HE URGED RESIDENTS TO VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT QUESTION.

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING SAID THAT HIS SON, GARY BOZEK WAS KILLED BY THE LPD START TEAM ON OCTOBER 26, 1996. HIS SON COMMITTED NO CRIME. HE WAS DEPRESSED AND SUICIDAL AND WAS NOT THINKING STRAIGHT. HE ASKED REPEATEDLY TO BE ALLOWED TO TALK TO HIS EX-WIFE OR HIS SISTER THAT EVENING. THE POLICE LIED TO HIM AND TOLD HIM THAT THEY WERE WORKING ON GETTING ONE OF THESE TWO PEOPLE FOR HIM TO TALK TO. HE, HIMSELF, (LEWIS BOZEK) WAS PRESENT AND SO WAS HIS DAUGHTER. THEY, IN TURN, ASKED TO BE ALLOWED TO TALK TO GARY THROUGH THE USE OF THE POLICE EQUIPMENT. THEY WERE DENIED THEIR REQUESTS. WHY DIDN'T THE POLICE ALLOW THEM TO TALK TO GARY? HE ASKED THIS OF ACTING POLICE CHIEF TESZLEWICZ AT THE SEPTEMBER 16, 1997 BOARD OF POLICE COMMISSIONERS MEETING. WE DESPERATELY NEED AN INDEPENDENT POLICE BOARD. WE NEED A BOARD THAT HOLDS THE POLICE ACCOUNTABLE FOR THEIR ACTIONS. WE NEED A BOARD THAT IS NOT INVESTIGATING THEMSELVES WHEN THEY INVESTIGATE COMPLAINTS. HE URGED CITIZENS TO VOTE YES ON THE

CITIZENS REVIEW BOARD BALLOT ISSUE.

ALEXANDER BOLT OF 1230 REO RD. READ EXCERPTS FROM ARTICLES FROM THE STATE JOURNAL. HE BELIEVES THAT THE SUPREME COURT WILL REVERSE THE RULING ON WHETHER THE STORM WATER ENTERPRISE FEE IS A TAX, OR A FEE. PEOPLE WHO ARE INTERESTED IN PROCURING A COPY OF JUDGE STELL'S DECISION MAY CALL 887-3221. FOR INFORMATION ABOUT OTHER CASES IN SUPREME COURT CALL 337-8324. IF YOU WOULD LIKE THE TEXT OF THE RULING PRINTED IN THE STATE JOURNAL, CALL 377-1205.

TOM HERNLY OF 3425 PALMER SUBMITTED AN APPEAL OF THE PUBLIC SERVICE COMMITTEE'S DECISION ON HIS 1996 STORMWATER BILL.

THIS APPEAL WAS REFERRED TO THE COMMITTEE ON GENERAL SERVICES

LYOYD TEETS OF 116 E. ELM ST. STATED HIS SUPPORT OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. HE STATED THAT LIES ARE BEING TOLD ABOUT THEIR PLANS FOR THE CITIZENS REVIEW BOARD. THIS WILL BE A VOLUNTEER BOARD. OF COURSE THEY WILL BE STAFFED. WE ARE CURRENTLY PAYING THE SAME AMOUNTS TO STAFF THE BOARD OF POLICE COMMISSIONERS AND ALL WE ARE GETTING FOR IT IS A WHITE-WASH. IT IS LIKELY THAT BY STAFFING THIS BOARD WE WILL SAVE THE CITY A LOT OF MONEY, BECAUSE WHEN WE HAVE A CITIZENS REVIEW BOARD, THE CONDUCT IN THE POLICE DEPARTMENT WILL CHANGE AND THE CITY WILL BE SUED LESS OFTEN AND FOR SMALLER AMOUNTS OF MONEY.

ROBERT BENNETT OF 222 W. SAGINAW DISTRIBUTED A THANK-YOU FROM THE FRIENDS OF COMSTOCK PARK FOR THE ICE SKATING RINK, AND FOR PROVIDING THEM WITH A PLACE FOR THE NETWORK CENTERS.

ROSE CASTILLA OF 807 N. LARCH ST., A MEMBER OF THE COMMITTEE FOR THE DIA DE LOS MUERTOS, URGED COUNCILMEMBERS TO GRANT THEIR REQUEST FOR A WAIVER OF FEES FOR THE PARKS AND RECREATION DEPARTMENT SHOWMOBILE. THEY ARE NOT ABLE TO PAY THE FEES REQUIRED TO RENT THE FACILITY. THEY EXPECT TO SEE ATTENDANCE OF ABOUT 600 TO 1,000 AT THEIR EVENT TO BE HELD NOVEMBER 1, 1997 AT THE INTERSECTION OF WASHINGTON AND GRAND RIVER.

RICHARD COLLINS OF 225 MOORES RIVER DRIVE SAID THAT HE IS THE CHAIR OF CITIZENS FOR A BETTER LANSING. HE DISPLAYED A COPY OF THE POLICE COMMUNITY NEWSLETTER. HE ASKED IF THIS GROUP HAS A SEPARATE COMPUTER, OR IS THIS NEWSLETTER PRINTED AT THE TAX PAYERS EXPENSE? HE ASKED IF THE CHIEF OF POLICE IS A REGISTERED LOBBYIST. IF HE IS NOT, IS IT LEGAL FOR HIM TO LOBBY AGAINST A BALLOT PROPOSAL THAT COULD HAVE AN AFFECT ON HIS POSITION?

CITY ATTORNEY SMERTKA SAID THAT HE HAS REVIEWED THE NEWSLETTER WITH RESPECT TO THE CAMPAIGN FINANCE ACT. HE SAID THAT UNDER THE CAMPAIGN FINANCE ACT STATEMENTS FROM PEOPLE IN POLICY MAKING POSITIONS



ARE ALLOWABLE.

ALBERTA JORDAN, NO ADDRESS GIVEN, URGED EVERYONE TO VOTE YES ON THE CITIZENS REVIEW BOARD ISSUE ON NOVEMBER 4, 1997.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. SPOKE REGARDING THE FUND RAISER THAT WAS HELD FOR THE MELLING FORGE COMPANY RETIREES. SHE STATED HER SUPPORT OF THE CITIZENS REVIEW BOARD ISSUE. SHE GAVE DATES AND TIMES OF DEBATES FOR SCHOOL BOARD CANDIDATES.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO THANKED THE MID MICHIGAN UNITY COALITION FOR ENDORSING THE CITIZENS REVIEW BOARD BALLOT PROPOSAL TODAY. THEIR GROUP DOES NOT NORMALLY ENDORSE CANDIDATES BECAUSE THEY WISH TO REMAIN TOTALLY INDEPENDENT OF POLITICAL AFFILIATIONS. HE URGED RESIDENTS TO VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT ISSUE.

### COMMITTEE REPORTS

#### RESOLUTION #578 REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SAFETY, TO WHOM WAS REFERRED THE ORDINANCE AMENDMENTS TO DOUBLE TRAFFIC FINES IN SCHOOL ZONES

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE ORDINANCE AMENDMENTS TO DOUBLE TRAFFIC FINES IN SCHOOL ZONES BE ADOPTED.

SIGNED: SANDY ALLEN, CHAIRPERSON  
TONY BENAVIDES  
PAUL NOVAK

BY COUNCILMEMBER ALLEN

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

#### RESOLUTION #579 REPORT OF COMMITTEE

THE COMMITTEE ON WAYS AND MEANS, TO WHOM WAS REFERRED THE ANTI-SWEATSHOP ORDINANCE AMENDMENTS TO CHAPTER 206.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE AMENDMENTS TO ANTI-SWEATSHOP ORDINANCE AMENDMENTS TO CHAPTER 206 BE ADOPTED.

SIGNED: HOWARD JONES, CHAIRPERSON  
RICK LILLY  
ELLEN BEAL

BY COUNCILMEMBER JONES

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

### CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTER FROM RON WILSON, COUNCIL LEGISLATIVE ANALYST RE: NOTICE FROM MAYOR HOLLISTER OF FULFILLMENT OF THE WAIVER OF ORDINANCE REQUIREMENTS FOR CITY ASSESSOR, DAVID TIJERINA

RECEIVED AND PLACED ON FILE

3. LETTERS FROM THE MAYOR RE:

A. PLACING 1996 DELINQUENT STORMWATER ENTERPRISE FEES ON THE TAX ROLL, ROLL W-0096

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. 1997-98 STORMWATER RATES

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

C. LETTER OF APPRECIATION FROM ALMUS M. THORP, JR. TO CATA FOR TROLLEY SERVICE DURING THE SEPTEMBER 14, 1997 HOME TOUR

RECEIVED AND PLACED ON FILE

D. PETITION FOR PUBLIC IMPROVEMENT IN THE FORM OF RESURFACING OF BILTMORE AND MARQUETTE

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS FOR THE THIRD ANNUAL DIA DE LOS MUERTOS

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

F. LANSING HOUSING COMMISSION FINANCIAL STATEMENTS FOR FY ENDED JUNE 30, 1997

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY



1. LETTER FROM DARRYL BURGESS OF 1407 PROSPECT REGARDING THE DEFAULT BY HEART OF THE CITY ON THEIR AGREEMENT TO CONSTRUCT A NEW BUILDING AT THE SITE OF THE CIVIC ARENA

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. LETTER FROM THE DOWNTOWN NEIGHBORHOOD ASSOCIATION IN OPPOSITION TO Z-14-97, PETITION FOR REZONING OF 233/235 N. PINE ST. FILED BY MICHIGAN RETAILERS

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. LETTER FROM CHRISTINE TIMMON OF 335 E. ST. JOSEPH REGARDING THE STORMWATER ENTERPRISE FUND FEE

RECEIVED AND PLACED ON FILE

4. LETTER FROM SHERRY L. VANG, A STUDENT AT GIER PARK SCHOOL, REQUESTING PERMISSION TO CONDUCT A CLEAN-UP PROJECT AT GIER PARK

REFERRED TO THE MAYOR AND THE PARKS BOARD

5. LETTER FROM INGHAM COUNTY CLERK, MIKE BRYANTON, SUBMITTING THE INGHAM COUNTY 1997 TAX RATE REQUEST

REFERRED TO THE MAYOR

6. LETTER FROM STEPHANIE WHITBECK, LAND USE CHAIR OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION SUBMITTING INFORMATIONAL MATERIAL AND PROTEST PETITIONS REGARDING Z-14-97 233/235 N. PINE ST.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

7. LETTER FROM ATTORNEYS SUBMITTING CAPITAL AREA DISTRICT LIBRARY 1997 TAX RATE REQUEST  
REFERRED TO THE MAYOR

8. PETITION FROM RESIDENTS OF DWIGHT AND NORTH ST. REQUESTING A PUBLIC IMPROVEMENT IN THE FORM OF A CUL DE SAC AT THE INTERSECTION OF CAPITAL AVE. AND DWIGHT ST.

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

9. Z-23-97; 3200 BLOCK OF W. MILLER RD., PETITION FOR REZONING FROM "A" RESIDENTIAL TO "G-2" WHOLESALE FILED BY THE CITY OF LANSING TO ALLOW FOR DEVELOPMENT OF THE PROPERTY FOR WAREHOUSE, OFFICE, OR COMMERCIAL USES

REFERRED TO THE MAYOR AND THE PLANNING BOARD

10. Z-24-97; 526 W. HILLSDALE ST., PETITION FOR

REZONING FROM "DM-4" RESIDENTIAL TO "D-1" PROFESSIONAL OFFICE FILED BY KATHLEEN M. GAYDOS TO ALLOW FOR THE USE OF THE PROPERTY AS LAW OFFICES FOR HER

REFERRED TO THE MAYOR AND THE PLANNING BOARD

11. LATE ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM RONALD PREADMORE PROTESTING THE USE OF TOXIC CHEMICALS BEING SPRAYED TO KILL WEEDS AND INSECTS NEAR STORM SEWER BASINS

REFERRED TO THE MAYOR

12. LATE ITEM FROM COUNCILMEMBER BENAVIDES; STORMWATER ENTERPRISE APPEAL FROM THOMAS HERNLY OF 3425 PALMER

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER LEEMAN THANKED THE ADMINISTRATION AND HIS COLLEAGUES FOR MAKING THE CITY HALL PARKING GARAGE REPAIR A PRIORITY. THIS PROJECT WILL BE ENTERING PHASE 3 VERY SHORTLY. HE PLAYED A VIDEO TAPE SHOWING THE IMPROVEMENTS TO THE GARAGE.

COUNCILMEMBER BAUER NOTED THAT THE POLICE ARE PARKING IN THE BASEMENT ONCE AGAIN AND TRANSPORTING PRISONERS THROUGH THAT AREA. SHE REPORTED ATTENDING A MEMORIAL SERVICE FOR MARY MARGARET MURPHY-WOLL ON SATURDAY. THE EAST SIDE LOST A VERY IMPORTANT ACTIVIST WHO CAN NEVER BE REPLACED. SHE NOTED THE ONE YEAR ANNIVERSARY OF THE DEATH OF PAUL SCOTT ANOTHER CITY ACTIVIST WHOSE MEMORIAL PLAQUE HANGS ON THE WALL IN THE BACK OF CHAMBERS. SHE ANNOUNCED A MEETING OF THE INTERGOVERNMENTAL RELATIONS COMMITTEE THIS TUESDAY AT 3:45 P.M., AT WHICH THEY WILL INTERVIEW MR. LEE, WHO HAS BEEN NOMINATED BY MAYOR HOLLISTER FOR APPOINTMENT TO THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY. SHE NOTED THAT OCTOBER IS "DOMESTIC VIOLENCE AWARENESS" MONTH AND A NUMBER OF ACTIVITIES HAVE BEEN PLANNED. THEY WILL BE SELLING THE "WORLDS' LARGEST RICE KRISPIE TREAT" AT A SILENT AUCTION THE PROCEEDS OF WHICH WILL BE DONATED TO THE COUNCIL AGAINST DOMESTIC ASSAULT (CADA). THERE WILL BE A "SURVIVORS GARDEN" ON DISPLAY IN CITY HALL AND A CANDLE LIGHT VIGIL. SHE EXPLAINED THE DISTRICT LIBRARY ISSUES SURROUNDING THE "ROSA" BUILDING AND THE ALLOCATION OF LIBRARY BRANCHES. LANSING WILL HAVE TWO BRANCH LIBRARIES, ONE AT THE FOSTER COMMUNITY CENTER AND A SOUTH SIDE BRANCH. ADDITIONALLY, WE WILL HAVE, AS PART OF A SEPARATE AGREEMENT WITH THE DISTRICT, A CENTRAL COLLECTION BRANCH AT THE ROSA BUILDING. THIS LOCATION WILL HAVE POSSESSION OF THE LANSING SCHOOL DISTRICT LIBRARY BOOKS. THIS ISSUE IS BEING MISUNDERSTOOD. PEOPLE WHO HAVE QUESTIONS, OR REQUIRE FURTHER INFORMATION, MAY CALL THE DISTRICT LIBRARY, CITY OF LANSING FINANCE DIRECTOR, ROBERT SWANSON, OR HER.



COUNCILMEMBER ALLEN CONFIRMED THE PUBLIC SAFETY COMMITTEE MEETING THIS THURSDAY AT 2:30 P.M. AT WHICH THEY WILL TAKE UP THE HOUSING CODE AND THE LYONS STREET SCHOOL ISSUE. SHE URGED 2ND WARD RESIDENTS TO ATTEND THE LEAGUE OF WOMEN VOTERS DEBATE TO BE HELD THIS WEDNESDAY, OCTOBER 15, 1997 AT GARDENER MIDDLE SCHOOL AT 7:30 P.M. THESE ARE VERY IMPORTANT INTERVIEWS, AND PEOPLE NEED TO KNOW WHO AND WHAT THEY ARE VOTING FOR.

COUNCILMEMBER NOVAK SENT HIS CONDOLENCES AND COMPLIMENTS TO THE FAMILY OF MARY MARGARET MURPHY-WOLL. SHE WAS VERY INSTRUMENTAL IN THE GRASS ROOTS BASED NEIGHBORHOOD APPROACH TO CITY HALL. HE ADDRESSED THE COMMENTS MADE BY RICHARD COLLINS WITH REGARD TO THE LITERATURE THAT IS BEING CIRCULATED IN OPPOSITION TO THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. HE NOTED THAT IT WOULD BE APPROPRIATE THAT AN OPPORTUNITY BE EXTENDED FOR OPPOSING OPINIONS TO BE PUBLISHED IN THE SAME PUBLICATION.

COUNCILMEMBER JONES SPOKE IN MEMORY OF MARY MARGARET MURPHY-WOLL, WHO, HE SAID, CONTRIBUTED A TREMENDOUS AMOUNT OF TIME TO DIFFERENT ORGANIZATIONS AND TO THE CITY OF LANSING. HER HUSBAND, DAVID, PRECEDED HER IN DEATH BY MORE THAN A YEAR. SHE WAS VERY ACTIVE IN THE CITIZENS FOR PUBLIC RECYCLING GROUP AND WILL BE SORELY MISSED BY EVERYONE WHOSE LIFE SHE TOUCHED.

COUNCILMEMBER BEAL SPOKE REGARDING THE DEATH OF A THIRTEEN YEAR OLD GIRL LAST WEEK. SHE COMMENDED HER COLLEAGUES FOR TAKING UP AND DEVELOPING REMEDIES FOR TRUANCY. MORE THAN ANY OTHER BODY IN THE CITY, CITY COUNCIL MADE THIS A PRIORITY, STARTING LAST SPRING. SHE THANKED COUNCILMEMBERS FOR RECOGNIZING THIS AS AN IMPORTANT, CRITICAL FACTOR IN THE EFFORT TO HELP LANSING SCHOOLS. SHE HAS A PERSONAL INTEREST IN THIS PROBLEM, BECAUSE SHE HAS A DAUGHTER THAT WAS IN TROUBLE. THIS IS WHEN SHE BEGAN BEATING THE DRUM FOR TRUANCY LEGISLATION. SHE COMMENDED HER COLLEAGUES FOR RECOGNIZING AND ADDRESSING THIS NEED. SHE PROCLAIMED MARY MARGARET MURPHY-WOLL A TREMENDOUS PUBLIC SERVANT. MARY MARGARET WAS HER NEIGHBOR, AND MOURNED THE LOSS OF HER HUSBAND, DAVID, 1 1/2 YEARS AGO, AND IS MUCH HAPPIER NOW BEING REUNITED WITH HIM.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER RESPONDED TO COMMENTS MADE ABOUT MAYOR HOLLISTER TONIGHT. WITH REGARD TO THE APPOINTMENT OF MR. QUINNEY TO THE BOARD OF POLICE COMMISSIONERS; THEIR PROCESS IS TO FIND QUALIFIED CANDIDATES AND TO ESTABLISH BALANCED BOARDS, AS MUCH AS POSSIBLE. THEY ATTEMPT TO WEIGH ALL OF THE SKILLS AND FACTORS OF DIFFERENT CANDIDATES WHO APPLY. IT IS DIFFICULT WHEN THERE ARE MULTIPLE QUALIFIED CANDIDATES. ON THE BOARD OF POLICE COMMISSIONERS, IT IS IMPORTANT THAT THEY HAVE A

STRONG MINORITY REPRESENTATION. THEY APPOINTED MR. QUINNEY BECAUSE OF HIS UNION BACKGROUND. HE IS NOT AN ACTIVE MEMBER OF MAYOR HOLLISTER'S CAMPAIGN. HE DID VOLUNTEER, ONCE, TO BLOW UP BALLOONS AT THE RIVERFEST. WITH REGARD TO STATEMENTS ABOUT CAMPAIGN CONTRIBUTIONS COMING FROM BOARD MEMBERS; THERE ARE 280 PEOPLE IN THE CITY OF LANSING WHO SERVE ON CITY BOARDS. THESE PEOPLE ARE NOT, AND CAN NOT, BE EXCLUDED FROM MAKING CAMPAIGN CONTRIBUTIONS, HOWEVER, IT IS IMPROPER TO IMPLY THAT SERVING ON A CITY BOARD AMOUNTS TO POLITICAL CRONYISM. HE ADDED HIS CONDOLENCES TO THOSE OF COUNCILMEMBERS AND SENT HIS SYMPATHY AND COMPLIMENTS TO THE FAMILY OF MARY MARGARET MURPHY-WOLL. HE HAS KNOWN HER FOR OVER 10 YEARS. SHE WAS A VERY SPECIAL LADY WHO COMMITTED HERSELF TO THE PEOPLE IN HER COMMUNITY, A MODEL CITIZEN WHO DEVOTED COUNTLESS HOURS TO FIGHT FOR HER COMMUNITY. SHE HAD A NOTABLE IMPACT ON SPARROW HOSPITAL AND THEIR EXPANSION PROGRAM, AS WELL AS A SIGNIFICANT IMPACT ON THE ISSUE OF THE BOYS TRAINING SCHOOL SITE. SHE WAS A PERSON OF GREAT WISDOM, COMPASSION AND UNDERSTANDING WHO ALWAYS UNDERSTOOD THE NEEDS OF THE PEOPLE.

LIZA ESTLUND OLSON, MAYOR HOLLISTER'S CHIEF OF STAFF, SAID THAT SHE WORKED WITH MARY MARGARET MURPHY-WOLL ON THE PROJECT PLAY COMMITTEE. SHE SQUEEZED EVERY NICKELS WORTH OF PLAY GROUND EQUIPMENT THAT SHE COULD OUT OF SUPPLIERS.

COUNCILMEMBER ALLEN RESPONDED TO MR. WIENER'S COMMENTS REGARDING CRITICISMS OF MAYOR HOLLISTER. SOMETIMES THE LINES ARE BLURRED, SHE SAID, THE REMARKS MADE ABOUT MAYOR HOLLISTER THIS EVENING WERE NOT ALWAYS MADE BY COUNCILMEMBERS. SHE THANKED ACTING POLICE CHIEF PAUL TESZLEWICZ FOR KEEPING CARS FROM PARKING IN RESIDENTIAL AREAS AROUND EVERETT HIGH SCHOOL DURING FOOTBALL GAMES.

**ADJOURNED 10:10 P.M.  
MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF OCTOBER 20, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER BENAVIDES

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF OCTOBER 6, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER JONES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER JONES; A REQUEST TO ADD A MOTION TO THE AGENDA FOR THE PURPOSE OF RECONSIDERING THE PASSAGE OF THE RESOLUTION, ADOPTED ON OCTOBER 13, 1997, AUTHORIZING APPLICATION FOR LOAN FUNDS FOR THE LINDELL DROP FORGE SITE, ALONG WITH A RECOMMENDATION THAT THIS MATTER BE REFERRED TO THE PUBLIC SERVICE COMMITTEE
2. FROM COUNCILMEMBER LEEMAN; LETTERS IN SUPPORT OF LOCATING THE NORTH SIDE POLICE PRECINCT IN THE WORTHINGTON BUILDING AT 1611 N. GRAND RIVER
3. FROM COUNCILMEMBER LEEMAN; A REQUEST THAT ITEM VIII B-6 C., RESOLUTION DEFINING TYPES OF WORK PROHIBITED IN THE CAPITOL HISTORIC DISTRICT, BE PULLED FROM THE AGENDA

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER ALLEN APPEALED TO THE PERSON WHO

WROTE AN UNSIGNED LETTER TO COUNCILMEMBERS REGARDING BOARDED PROPERTY ON WEST HOLMES RD., TO CONTACT HER. ANONYMOUS LETTERS ARE NOT PLACED ON THE CITY COUNCIL AGENDA, AND SHE WOULD LIKE THIS PERSON TO PROVIDE THEIR NAME TO HER, IN CONFIDENCE, SO THAT SHE CAN RESPOND TO THEIR COMPLAINT. SHE URGED RESIDENTS TO VISIT THE OLDSMOBILE PARK FRIGHT NIGHT. SHE PLAYED THE PART OF A "GOBLIN" LAST FRIDAY AT THE "HAUNTED HOUSE" AND HAD GREAT FUN. THEY HAVE A SECTION FOR VERY YOUNG CHILDREN THAT IS NOT AS FRIGHTENING AS THE ADULT SECTION. SHE ASKED MAYOR HOLLISTER TO LOOK INTO A SITUATION WITH A CITY CAR #1032 THAT HAS BEEN PARKED IN THE SAME SPOT FOR 4-5 NIGHTS IN A ROW WITHOUT BEING MOVED.

COUNCILMEMBER JONES ANNOUNCED THAT HE HAS BEEN IN TOUCH WITH MR. HOWE AT BRD PRINTING. HE WOULD LIKE TO EXPAND HIS BUSINESS ON W. ST. JOSEPH, BUT HE NEEDS BUILDING VARIANCES TO DO SO, OR ALTERNATIVELY, TO GET CLARK OIL TO CLEAN UP THEIR PROPERTY TO THE WEST OF HIM. PERHAPS MAYOR HOLLISTER COULD WORK WITH CLARK OIL TO GET THIS PROPERTY CLEANED UP. HE REPORTED WALKING THE LINDELL DROP FORGE SITE. DURING THIS INSPECTION HE DISCOVERED THAT SOMEONE HAS BEEN DUMPING TRASH NEAR THE JOHNSON DRAIN. SOME OF THE MATERIALS BEING DUMPED COULD BE TOXIC.

COUNCILMEMBER LILLY REQUESTED THAT THE ISSUE RAISED BY COUNCILMEMBER JONES WITH REGARD TO CLARK OIL PROPERTY ON W. ST. JOSEPH BE PLACED ON THE AGENDA OF THE NEXT DEVELOPMENT AND PLANNING COMMITTEE MEETING. COUNCIL HAS ALREADY TAKEN ACTION TO ASSIST MR. HOWE WITH HIS EXPANSION NEEDS, PERHAPS THERE ARE OTHER RESOURCES THAT COULD BE UTILIZED TO RESOLVE THIS MATTER.

MARILYNN SLADE, CITY CLERK, REMINDED RESIDENTS THAT THE NOVEMBER GENERAL ELECTION IS TWO WEEKS AWAY, ON NOVEMBER 4, 1997. THE CITIZENS REVIEW BOARD PROPOSAL IS ON THIS BALLOT. ANYONE INTERESTED IN OBTAINING THE FULL TEXT OF THE PROPOSAL CAN GET IT FROM THE STATE JOURNAL ON SATURDAY, OCTOBER 25, 1997. SHE URGED ALL INTERESTED PARTIES TO REVIEW THE TEXT OF THIS PROPOSAL. THE FULL TEXT OF THE PROPOSAL IS ALSO AVAILABLE ON THE LANSING GOVERNMENT WEB SITE, WHICH ADDRESS IS; [HTTP://CI.LANSING.MI.US/](http://ci.lansing.mi.us/).

MAYOR HOLLISTER REPORTED THAT LANSING HAS WON TWO "KEEP AMERICA BEAUTIFUL AWARDS." THE "NEIGHBORHOODS IN BLOOM" PROGRAM RECEIVED AN AWARD, AS DID THE LANSING CENTER RIVERFRONT DEVELOPMENT PROJECT.

COUNCILMEMBER BEAL ASKED MAYOR HOLLISTER ABOUT THE REMOVAL OF JIM PERSONS FROM THE BOARD OF POLICE COMMISSIONERS. MR. PERSONS WAS NOT AWARE THAT HE WAS BEING TAKEN OFF OF THIS BOARD. HE WAS THE VICE-CHAIR, AS WELL AS THE CHAIRMAN OF THE BUDGET SUB-



COMMITTEE. MR. PERSONS FOUND OUT THAT HE WAS BEING REMOVED FROM THE BOARD WHEN A NUMBER OF PEOPLE CALLED HIM AND TOLD HIM THAT HIS PICTURE HAD BEEN REMOVED FROM THE POLICE DEPARTMENT.

MAYOR HOLLISTER REPORTED THAT HE HAS SPOKEN WITH MR. PERSONS ON THIS MATTER. THERE WAS APPARENTLY, SOME MIS-COMMUNICATION ABOUT WHAT WAS GOING TO HAPPEN. HE WROTE TO MR. PERSONS UPON LEARNING ABOUT HIS CONCERNS.

► SPECIAL CEREMONIES

A. MAYOR HOLLISTER PRESENTED A PROCLAMATION DECLARING OCTOBER 19-25 AS A WEEK WITHOUT VIOLENCE IN LANSING TO MEMBERS OF THE YMCA.

B. MAYOR HOLLISTER, ALONG WITH COUNCILMEMBER BENAVIDES INTRODUCED COACH, XAVIER CERVASOS AND MEMBERS OF Y.B.O.A. (YOUTH BASKETBALL OF AMERICA), A GIRLS TEEN BASKETBALL TEAM WHO WILL TRAVEL, AS AMBASSADORS OF OUR CITY, TO SISTER CITY, SALTILLO, MEXICO. THEY WILL BE PARTICIPATING IN BASKETBALL GAMES FROM NOVEMBER 26, 1997 THROUGH DECEMBER 2, 1997. MAYOR HOLLISTER PRESENTED THE TEAM WITH A GIFT TO BE CONVEYED TO SALTILLO'S MAYOR ON BEHALF OF THE CITY OF LANSING. COUNCILMEMBER BENAVIDES ANNOUNCED THAT HE HAS BEEN A VISITOR TO SALTILLO MANY TIMES. HE PREDICTED THAT THE GIRLS WILL LOVE THE CULTURE AND THE FOOD, AND WILL PROBABLY FALL IN LOVE WITH MEXICO, THEY MIGHT POSSIBLY BECOME "HONORARY MEXICANS." MAYOR HOLLISTER NOTED THE MANY SIMILARITIES IN POPULATION, EDUCATIONAL AND ECONOMIC FACTORS BETWEEN SALTILLO AND LANSING.

C. ACTING CHIEF OF POLICE, PAUL TESZLEWICZ THANKED VOLUNTEERS OF THE C.U.T.T. (CITIZENS UNITED TO TRACK TRUANCY) PROGRAM AND MEMBERS OF THE PUBLIC SAFETY DEPARTMENT OF THE LANSING SCHOOL DISTRICT, AS WELL AS BUSINESSES FROM THE LANSING COMMUNITY WHOSE DONATIONS FUNDED THE PROJECT. THIS IS THE CITY'S FIRST ATTEMPT AT OPERATING A TRUANCY PROGRAM. MAYOR HOLLISTER ANNOUNCED THAT IN THE THREE DAYS OF TRUANCY OPERATIONS, WE HAVE PICKED UP 90 KIDS.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF THE ISSUANCE OF ORDERS FOR MAKE-SAFE OR DEMOLISH TO OWNERS OF THE PROPERTIES LOCATED AS FOLLOWS:

-4000 HUNTERS RIDGE  
-812 BEULAH  
-827 HICKORY  
-1117 E. MT. HOPE  
-LOT BETWEEN 910 AND 918 N. CHESTNUT  
(GARAGE ONLY)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

WILLY WILLIAMS OF 505 W. LENAWEE SPOKE REGARDING THE RESOLUTION AUTHORIZING THE MARKETING FOR SALE OF PROPERTY LOCATED AT 1132 S. WASHINGTON AVE., WHICH IS PARKING LOT #7. WE TOOK DOWN SOME HOUSES TO BUILD A PARKING LOT, AND NOW WE ARE SELLING THE PARKING LOT, TO BUILD WHAT? HE QUESTIONED THE REASON FOR RE-NAMING OF THE KINGSLEY COMMUNITY CENTER. WHY DO WE RENAME BUILDINGS THAT HAVE ALREADY BEEN NAMED FOR SOMEONE? HE NOTED THAT THE CITY CLERK WON THE LAWSUIT THAT CITY COUNCIL FILED AGAINST HER WITH REGARD TO THE PLACEMENT OF BALLOT LANGUAGE ON THE NOVEMBER GENERAL ELECTION BALLOT.

ED RIVET OF 2023 PEGGY PLACE, REPRESENTING THE HOLLY PARK NEIGHBORHOOD ASSOCIATION, ASKED HIS NEIGHBORS, HERE TO PROTEST THE LINDELL SITE DEVELOPMENT FOR LOW INCOME HOUSING, TO RAISE THEIR HANDS INDICATING THEIR OBJECTIONS. APPROXIMATELY 80 PEOPLE RAISED THEIR HANDS IN A SHOW OF OPPOSITION TO THIS PROJECT. MR. RIVET STATED THAT THEY WANT THIS PROJECT STOPPED UNTIL SUCH TIME AS THEY HAVE BEEN CONSULTED ABOUT IT AND ALLOWED TO GATHER INFORMATION AND HAVE INPUT INTO THE PLANNING. THEY ARE NOT IN POSSESSION OF ANY OF THE PERTINENT FACTS ABOUT THE PROJECT. THEY DO NOT NEED A RENAISSANCE ZONE IN THEIR NEIGHBORHOOD. THEY ARE HAPPY WITH WHAT THEY NOW HAVE, WHICH IS A GREEN WOODS, QUIET, AND DEER. THEY BELIEVE THAT THE RENAISSANCE ZONE WAS CREATED AND THE LOAN APPLICATION APPROVED FOR THE CONSTRUCTION OF LOW INCOME HOUSING BECAUSE THAT IS THE ONLY KIND THAT CAN BE FINANCED WITH MSHDA FUNDING. THEY ARE SERIOUSLY CONCERNED ABOUT THE NEGATIVE EFFECTS THIS PROJECT WILL HAVE ON THEIR NEIGHBORHOOD. IT WILL DECREASE THEIR PROPERTY VALUES, IT WILL CAUSE THE LOSS OF THEIR WOODS, WETLANDS, AND FREE SPACE. THIS IS NOT WHAT THEY BELIEVE TO BE IN THE BEST INTERESTS OF THEIR COMMUNITY. THEY WANT INFORMATION ABOUT THIS PROJECT, WHICH THEY FEEL THEY SHOULD HAVE BEEN GIVEN FROM THE BEGINNING. THEY WANT INCLUSION IN THE PLANNING PROCESS, AGAIN, THEY FEEL THAT THEY SHOULD HAVE BEEN AT THE TABLE ON THIS PROJECT ALL ALONG.

MARK REES OF 1707 S. HOLLYWAY SAID THAT HIS BACKYARD BACKS UP TO THE RENAISSANCE ZONE WHERE THE LOW-INCOME PROJECT IS PROPOSED FOR. THEY ENJOY THE WOODS BEHIND THEIR HOUSE AND DO NOT WANT TO SEE IT DESTROYED. THEY DO NOT WANT A LARGE DEVELOPMENT IN PLACE OF THEIR WOODS. THEY WOULD NOT KNOW ABOUT THIS PROJECT IF THEY HAD NOT FOLLOWED THE LAND SURVEYORS THAT WERE SURVEYING THE WOODS. MAYOR HOLLISTER SHOULD HAVE MADE SURE THAT HE HAD COMMUNICATED WITH THEM AND ACCEPTED THEIR INPUT ON THIS PROJECT. HE SHOULD WORK WITH THE PEOPLE WHO LIVE IN THE CITY, NOT AGAINST THEM.

STEVE STRAGIER OF 1425 VICTOR AVE. SAID THAT HIS PROPERTY BACKS UP TO VICTOR WOODS ALSO. IT IS WRONG, HE SAID, TO MESS WITH MOTHER NATURE. HE DOES NOT LIKE EVEN THE THOUGHT THAT THIS BEAUTIFUL NATURAL AREA IS GOING TO BE DESTROYED. THIS WILL TEAR UP ONE OF THE BEST NEIGHBORHOODS IN THIS CITY. HE DOES NOT WANT HIS STREET TO BE TURNED INTO A STUPID LITTLE CUL-DE-SAC.



LLOYD TEETS OF 116 E. ELM ST. QUESTIONED THE SALE OF PARKING LOT #7 ON S. WASHINGTON AVE. AND AGREED WITH THE SENTIMENTS OF THE RESIDENTS IN THE AREA OF VICTOR WOODS/LINDELL DROP FORGE. WHAT THEY ARE REALLY PROTESTING IS THE PROCESS, OR LACK OF PROCESS. THAT IS WHAT HE OBJECTS TO WITH THE SALE OF THE PARKING LOT. THE PROPOSAL FOR THE SALE OF THIS PROPERTY STATED THAT THE RIVERPOINT NEIGHBORHOOD HAD BEEN CONTACTED AND NO RESPONSE WAS RECEIVED FROM THEM. AS THE PRESIDENT OF THE RIVERPOINT NEIGHBORHOOD ASSOCIATION, HE CAN ATTEST TO THE FACT THAT HE WAS NEVER CONTACTED. HE ASKED THAT THIS RESOLUTION BE PULLED TO ALLOW THE BUSINESSMEN IN THE RIVERPOINT AREA TO HAVE SOME INPUT INTO THIS MATTER. HE OPPOSED THE APPOINTMENT OF BOB LEE TO LEPFA. HE ASKED FOR MR. LEE'S HOME ADDRESS.

ROBERT SMITH OF 800 MICHIGAN NATIONAL TOWER, REPRESENTING DYKEMA GOSSETT ON BEHALF OF AIRTOUCH CELLULAR, SAID THAT THEY HAVE RECEIVED THE SUPPORT OF LOCAL NEIGHBORHOOD ASSOCIATIONS AND BUSINESSES IN THE STANLEY ST. AREA. THIS IS THE OLD OAKLAND NEIGHBORHOOD ASSOCIATION AND THE OLDTOWN REDEVELOPMENT ASSOCIATION. THIS LEASE WILL PROVIDE THE CITY OF LANSING WITH OVER \$1,000,000 IN REVENUES OVER THE COURSE OF THE LIFE OF THE LEASE. ADDITIONALLY, THEIR CLIENT WILL DONATE \$2,500 FOR PLACEMENT OF ADDITIONAL TREES IN THE PARK.

JACKIE WARR OF 2025 ROCK WAY SAID THAT SHE CALLED THE PLANNING DEPARTMENT TODAY, IT IS HER UNDERSTANDING THAT THE VICTOR WOODS/LINDELL SITE IS ALREADY PROPERLY ZONED FOR THE PROPOSED DEVELOPMENT. HOWEVER, SHE DOES NOT FEEL THAT THE PUBLIC HEARING NOTICE PROVIDES ENOUGH NOTIFICATION TO THE RESIDENTS IN THIS AREA OF THE PLANS FOR THIS PROJECT. IT IS APPROPRIATE THAT THE CITY ENGAGE THE PEOPLE DIRECTLY AFFECTED BY THE DEVELOPMENT THAT IS BEING UNDERTAKEN. THIS IS A VERY NICE NEIGHBORHOOD TO LIVE IN. SHE ASKED THAT THESE RESIDENTS BE ALLOWED TO WORK WITH THE CITY ON THIS PROJECT, NOT PLACED IN AN ADVERSARIAL POSITION.

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH SAID THAT THE CITY DEVELOPS FIRST AND THEN INFORMS RESIDENTS OF THEIR PLANS. THIS DOES NOT MAKE SENSE. THIS AREA DOES NOT NEED RENAISSANCE FUNDS. THIS IS A BEAUTIFUL NEIGHBORHOOD. LANSING HAS ENOUGH LOW INCOME HOUSING. THE CITY SHOULD SPEND THIS MONEY ON THE 7 BLOCK DEVELOPMENT AREA.

### LEGISLATIVE MATTERS RESOLUTIONS

#### RESOLUTION #580

BY COUNCILMEMBER LILLY  
RESOLUTION SETTING HEARING DATE  
(CLARA'S INCORPORATED)  
PETER G. JUBECK

WHEREAS, THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING BOARD OF DIRECTORS HAS IDENTIFIED THREE MAJOR ECONOMIC DEVELOPMENT PROJECT INVESTMENT AREAS; AND

WHEREAS THESE AREAS ARE KNOWN AS THE "DOWNTOWN PROJECT AREA", THE "OLD TOWN PROJECT AREA" AND THE "DEPOT PROJECT AREA"; AND

WHEREAS, IN AN EFFORT TO FOSTER BUSINESS DEVELOPMENT, EXPANSION AND RENOVATION OF PROPERTIES WITHIN THESE PROJECT INVESTMENT AREAS, THE ECONOMIC DEVELOPMENT CORPORATION HAS INITIATED A BUSINESS FINANCING ASSISTANCE PROGRAM; AND

WHEREAS, THIS BUSINESS FINANCING ASSISTANCE PROGRAM WILL UTILIZE A PORTION OF THE ECONOMIC DEVELOPMENT CORPORATION'S CAPITAL TO MAKE FUNDS AVAILABLE FOR FINANCING THESE PROJECTS; AND

WHEREAS, CLARA'S INCORPORATED HAS MADE APPLICATION WITH THE ECONOMIC DEVELOPMENT CORPORATION FOR A BUSINESS LOAN TO RENOVATE THEIR COMMERCIAL BUSINESS LOCATED WITHIN THE IDENTIFIED "DEPOT PROJECT AREA", AT THE PROPERTY ADDRESS DESCRIBED ON "EXHIBIT I" ATTACHED; AND

WHEREAS, SECTION 8 OF ACT NO. 338 OF THE MICHIGAN PUBLIC ACTS OF 1974, AS AMENDED REQUIRES THAT BEFORE THE ECONOMIC DEVELOPMENT CORPORATION ACQUIRES AN INTEREST IN PROPERTY OR INCURS OBLIGATIONS FOR A SPECIFIC PROJECT, THE CORPORATION SHALL PREPARE A PROJECT PLAN, CONDUCT A PUBLIC HEARING ON THE MATTER AND SECURE THE RECOMMENDATION OF THE LOCAL GOVERNING BODY, AND

WHEREAS, AT SUCH HEARING, THE CITY COUNCIL SHALL PROVIDE AN OPPORTUNITY FOR ALL INTERESTED PERSONS TO BE HEARD ON THIS MATTER; AND

WHEREAS, THE ECONOMIC DEVELOPMENT CORPORATION, IN CONFORMITY WITH THE ACT, HAS DESIGNATED A PROJECT AREA AND PROJECT DISTRICT AREA FOR ITS PROJECT TO THIS COUNCIL FOR ITS APPROVAL THEREOF

NOW, THEREFORE, BE IT RESOLVED BY THIS COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

- ▶ 1. THE FOLLOWING PROJECT AREA, AS DESIGNATED BY THE ECONOMIC DEVELOPMENT CORPORATION, IS HEREBY CERTIFIED AS APPROVED: SEE EXHIBIT I
- ▶ 2. THE TERRITORY SURROUNDING SAID DESIGNATED PROJECT AREA WILL NOT BE SIGNIFICANTLY AFFECTED BY THE PROJECT AND, THEREFORE, A PROJECT DISTRICT AREA HAVING THE SAME DESCRIPTION AS THE PROJECT AREA HEREIN CERTIFIED AS APPROVED IS HEREBY ESTABLISHED.
- ▶ 3. PURSUANT TO SECTION 20 OF THE ACT, A PROJECT CITIZENS DISTRICT COUNCIL IS NOT REQUIRED FOR THE PROJECT AND THEREFORE, SUCH A COUNCIL SHALL NOT BE FORMED.
- ▶ 4. THIS COUNCIL HEREBY ADVISES AND CONSENTS TO THE APPOINTMENT BY THE MAYOR OF THE CITY OF LANSING FOR JAN HAYHOW AND ED CARPENTER TO SERVE AS ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ECONOMIC DEVELOPMENT CORPORATION, PURSUANT TO



SECTION 4 (2) OF THE ACT, SAID PERSONS BEING REPRESENTATIVE OF NEIGHBORHOOD RESIDENTS AND BUSINESS INTERESTS LIKELY TO BE AFFECTED BY THE PROJECT.

- ▶ 5. A PUBLIC HEARING UPON THE LOAN OF THE PRINCIPAL AMOUNT NOT TO EXCEED \$100,000.00 AND THE PROJECT PLAN FOR SUCH PROJECT SHALL BE HELD AT SEVEN O'CLOCK P.M. ON THE 17TH DAY OF NOVEMBER, 1997, IN THE CITY COUNCIL CHAMBERS, 10TH FLOOR, LANSING CITY HALL, LANSING, MICHIGAN. AT SUCH HEARING, THE CITY COUNCIL SHALL PROVIDE AN OPPORTUNITY FOR INTERESTED PERSONS TO BE HEARD AND SHALL RECEIVE AND CONSIDER COMMUNICATIONS IN WRITING WITH REFERENCE TO THE HEARING. THE HEARING SHALL PROVIDE THE FULLEST OPPORTUNITY FOR THE EXPRESSION OF OPINION, FOR ARGUMENT ON THE MERITS, AND FOR INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE PROPOSED LOAN AND THE PROJECT PLAN. THE GOVERNING BODY SHALL MAKE AND PRESERVE A RECORD OF THE PUBLIC HEARING, INCLUDING ALL DATA PRESENTED THEREAT.
- ▶ 6. THE CITY CLERK IS HEREBY REQUESTED TO PUBLISH, POST AND MAIL A NOTICE OF SUCH HEARING, SUCH NOTICE TO BE SUBSTANTIALLY IN THE FORM ATTACHED HERETO, IN ACCORDANCE WITH SECTION 17 OF THE ACT.
- ▶ 7. THE CITY CLERK IS HEREBY REQUESTED TO FORWARD THREE (3) CERTIFIED COPIES OF THIS RESOLUTION TO THE SECRETARY OF THE ECONOMIC DEVELOPMENT CORPORATION

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### EXHIBIT A

##### LEGAL DESCRIPTION OF PROJECT AREA

LAND IN THE CITY OF LANSING, COUNTY OF INGHAM, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT ON THE WEST ROW LINE OF RAILROAD, WHICH IS NORTH 0°02' EAST 107.75 FEET ALONG THE EAST LINE OF SAID SECTION AND NORTH 89°55'05" WEST 18.95 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION, THENCE NORTH 89°55'05" WEST 27.65 FEET, THENCE SOUTH 0°13'11" WEST 50.00 FEET TO THE NORTH ROW LINE OF MICHIGAN AVENUE, THENCE NORTH 89°55'05" WEST 76.99 FEET ALONG SAID NORTH ROW LINE OF MICHIGAN AVENUE, THENCE NORTH 88.0 FEET, THENCE NORTH 89°07'00" EAST 21.30 FEET, THENCE NORTH 01°37'10" EAST 330.0 FEET ALONG THE EAST ROW LINE OF RAILROAD SPUR TRACK, THENCE ALONG SAID EAST ROW LINE AND A CURVE TO THE RIGHT HAVING A RADIUS OF 209.71 FEET, A CENTRAL ANGLE OF 42°34'06" AND A LONG CHORD BEARING AND DISTANCE OF NORTH 22°54'13" EAST 152.25 FEET, THENCE CONTINUING ALONG SAID EAST ROW LINE AND A CURVE TO THE LEFT HAVING A RADIUS OF 296.92 FEET, A CENTRAL ANGLE OF 7°36'58" AND A LONG CHORD BEARING AND DISTANCE OF NORTH 30°31'11" EAST 39.44 FEET, THENCE SOUTH 0°32'08" WEST 542.59 FEET ALONG THE WEST ROW LINE OF RAILROAD TO THE POINT OF BEGINNING.

#### ATTACHMENT: PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF LANSING RELATING TO A PROJECT PLAN FOR THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING

(CLARA'S INCORPORATED BUILDING DEVELOPMENT PROJECT)

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF LANSING WILL HOLD A PUBLIC HEARING AT 7:00 P.M., IN THE CITY COUNCIL CHAMBERS, 10TH FLOOR, LANSING CITY HALL, LANSING, MICHIGAN, ON THE 17TH DAY OF NOVEMBER, 1997, ON A PROJECT PLAN PREPARED FOR THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING FOR ITS 'CLARA'S INCORPORATED BUILDING DEVELOPMENT PROJECT, (THE 'PROJECT'). THE PROJECT IS TO BE INITIALLY OWNED BY AND UNDERTAKEN FOR THE BENEFIT OF CLARA'S INCORPORATED AND PETER G. JUBECK. THE PROJECT CONSISTS OF THE RENOVATION OF A COMMERCIAL FACILITY (APPROXIMATELY 8,000 SQUARE FEET OF NET RENTABLE AREA) AND THE EQUIPPING THEREOF TO BE LOCATED AT 837 E. MICHIGAN AVENUE, IN THE CITY OF LANSING, MICHIGAN.

THE PROJECT WILL BE LEASED TO TENANTS FOR USE AS COMMERCIAL SPACE.

MAPS, PLATS, AND A DESCRIPTION OF THE PROPOSED PROJECT PLAN, INCLUDING THE METHOD OF RELOCATING FAMILIES AND INDIVIDUALS WHO WILL BE DISPLACED FROM THE AREA, IF ANY, ARE AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING, DEPARTMENT OF PLANNING & NEIGHBORHOOD DEVELOPMENT, 316 N. CAPITOL AVENUE, SUITE C-3, LANSING, MICHIGAN, AND

ALL ASPECTS OF THE PROPOSED PROJECT PLAN WILL BE OPEN FOR DISCUSSION AT THE PUBLIC HEARING, INCLUDING THE PROPOSED LOAN OF A MAXIMUM PRINCIPAL AMOUNT OF \$100,000.00 BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING TO ASSIST IN THE FINANCING OF THE PROJECT. THE PROJECT PLAN CONTAINS FURTHER INFORMATION ABOUT THE LOAN.

THE CITY COUNCIL WILL CONSIDER THE APPROVAL OF THE PROJECT PLAN AND THE PROPOSED LOAN ONLY AFTER THE PUBLIC HEARING HAS BEEN COMPLETED.

THE CITY COUNCIL SHALL PROVIDE AN OPPORTUNITY FOR ALL INTERESTED PERSONS TO BE HEARD AND SHALL RECEIVE AND CONSIDER COMMUNICATIONS IN WRITING WITH REFERENCE TO THE HEARING. THE PUBLIC HEARING SHALL PROVIDE THE FULLEST OPPORTUNITY FOR EXPRESSION OF OPINION, FOR ARGUMENT ON THE MERITS, AND FOR INTRODUCTION OF DOCUMENTARY EVIDENCE PERTINENT TO THE PROPOSED PROJECT PLAN AND THE PROPOSED LOAN. EXPRESSION ANNOUNCED

MARILYN SLADE, CITY CLERK  
LANSING, MICHIGAN

PUBLISHED POSTED AND MAILED

*AT THE REQUEST OF COUNCILMEMBER LILLY, THE ORDER OF THE RESOLUTIONS REPORTED FOR ADOPTION BY THE COMMITTEE ON DEVELOPMENT AND PLANNING WAS RE-ARRANGED TO ALLOW FOR THE ADOPTION OF THE SPECIAL LAND USE FOR 925 STANLEY ST. PRIOR TO THE ADOPTION OF THE LEASE AGREEMENT FOR 925 STANLEY ST.*

#### RESOLUTION #581 BY THE COMMITTEE ON DEVELOPMENT AND PLANNING RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-09-96,  
925 STANLEY STREET  
UTILITY/CELLULAR TOWER

WHEREAS, LANSING CELLULAR TELEPHONE COMPANY ('AIRTOUCH CELLULAR) HAS REQUESTED A SPECIAL LAND USE (SLU-09-96) PERMIT AND AN ACT 285 REVIEW (ACT-23-96) TO CONSTRUCT A 155 FT. CELLULAR MONOPOLE TOWER AND USE THE EXISTING EQUIPMENT BUILDING ON PROPERTY AT 925 STANLEY STREET (WEST SIDE PARK); AND

WHEREAS, SECTION 1284.04(E) OF THE ZONING CODE ALLOWS UTILITY STRUCTURES IN THE "B" RESIDENTIAL DISTRICT WITH A SPECIAL LAND USE PERMIT; AND

WHEREAS, THE PARK BOARD REVIEWED AND RECOMMENDED APPROVAL OF THE REQUEST AT THEIR SEPTEMBER 1996 MEETING AND WAS SUBSEQUENTLY REFERRED TO THE PLANNING BOARD FOR REVIEW; AND



WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING ON DECEMBER 3, 1996 AT WHICH TIME TWO PERSONS SPOKE REPRESENTING THE REQUEST AND ONE PERSON SPOKE HAVING SEVERAL CONCERNS, THE APPROVED MINUTES OF SAID PLANNING BOARD MEETING ARE ON FILE IN THE CITY CLERK'S OFFICE; AND

WHEREAS, THE PLANNING BOARD HAS REVIEWED THE PETITION AND AT THEIR DECEMBER 17, 1996 MEETING UNANIMOUSLY (6-0) RECOMMENDED APPROVAL OF THE REQUEST SUBJECT TO CONDITIONS, FINDING THAT THE REQUEST MET THE NINE CRITERIA, AS FOUND IN CHAPTER 1282 OF THE ZONING CODE, FOR EVALUATING REQUESTS FOR SPECIAL LAND USE PERMITS AND THE APPROVED MINUTES OF SAID PLANNING BOARD MEETING ARE ON FILE IN THE CITY CLERK'S OFFICE; AND

WHEREAS, THE MAYOR CONCURS IN THE RECOMMENDATION OF THE PLANNING BOARD; AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON FEBRUARY 10, 1997; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH,

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF LANSING HEREBY APPROVES THE SPECIAL LAND USE (SLU-9-96) REQUEST BY LANSING CELLULAR TELEPHONE COMPANY ("AIRTOUCH CELLULAR") TO CONSTRUCT A 155' TALL MONOPOLE CELLULAR TOWER AND USE THE EXISTING EQUIPMENT BUILDING ON THE PROPERTY AT 925 STANLEY STREET,

BE IT FURTHER RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

- ▶ 1. THE PROPOSED SPECIAL LAND USE IS HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND SURROUNDING USES.
- ▶ 2. THE PROPOSED SPECIAL LAND USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY.
- ▶ 3. THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTIES.
- ▶ 4. THE PROPOSED TOWER IMPROVEMENTS AND UTILITY USE WILL HELP SUPPORT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.
- ▶ 5. THE PROPOSED SPECIAL LAND USE WILL NOT BE HAZARDOUS TO ADJACENT PROPERTIES.
- ▶ 6/7. THE PROPOSED SPECIAL LAND USE WILL NOT PLACE ANY DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITIES.
- ▶ 8/9. THE PROPOSED SPECIAL LAND USE IS CONSISTENT WITH THE INTENT OF THE ZONING CODE AND OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN.

BE IT FINALLY RESOLVED THAT THE APPROVAL OF THE SPECIAL LAND USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. A LANDSCAPE, SCREENING AND BUFFERING PLAN BE SUBMITTED AND APPROVED BY THE PARKS AND RECREATION DEPARTMENT AND THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT.
2. ANY TREES LOST DUE TO THE CONSTRUCTION OF THE TOWER SHALL BE REPLACED.

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBER BAUER

**RESOLUTION #582**  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-23-96

LEASE OF STANLEY STREET PROPERTY

WHEREAS, THE LANSING CITY COUNCIL BY OCTOBER 6, 1997 RESOLUTION CONCURRED ON THE RELEASE OF JURISDICTION OF A CERTAIN PARCEL OF PROPERTY COMMONLY KNOWN AS THE STANLEY STREET METERING STATION PROPERTY BY THE BOARD OF WATER AND LIGHT THEREBY RETURNING GENERAL JURISDICTION OF SAID PROPERTY TO THE CITY; AND

WHEREAS, NEW PAR, A DELAWARE PARTNERSHIP D/B/A AIRTOUCH CELLULAR, HAS REQUESTED THAT THE CITY ENTER INTO A LEASE FOR A PORTION OF THE STANLEY STREET METERING STATION PROPERTY ACCORDING TO TERMS AND CONDITIONS OF A CERTAIN LEASE AGREEMENT WITH INCLUDED EASEMENT PLACED ON FILE WITH THE CITY CLERK FOR AN ORIGINAL TEN-N OF 10 YEARS WITH 4 RENEWAL OPTIONS OF 10 YEARS EACH; AND

WHEREAS, THE ORIGINAL RENT WOULD BE \$7,000.00 PER YEAR WITH INCREMENTAL INCREASES OVER THE TERM OF THE LEASE, TOGETHER WITH A ONE-TIME LEASE RESERVATION PAYMENT OF \$2,500.00 TO BE MADE FOR PARK IMPROVEMENTS AT THE WESTSIDE PARK; AND

WHEREAS, THE COMMITTEE OF DEVELOPMENT AND PLANNING HAS REVIEWED THE LEASE AND BACKGROUND SURROUNDING THE PROPOSED USE OF THE PROPERTY BY AIRTOUCH CELLULAR FOR A MONOPOLE;

NOW, THEREFORE, IT IS HEREBY RESOLVED THE LANSING CITY COUNCIL AUTHORIZES THE CITY TO ENTER INTO A LEASE WITH NEW PAR, A DELAWARE PARTNERSHIP D/B/A AIRTOUCH CELLULAR, IN THE FORM AS ON FILE WITH THE CITY CLERK



OF THE PROPERTY LEGALLY DESCRIBED AS:

COMMENCING AT THE SW 1/4 CORNER OF SECTION 8, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, THENCE N 00°10'40" W 1314.86 FEET ALONG THE WEST LINE OF SAID SECTION 8, THENCE N 89°49'20" E 65.98 FEET TO THE POINT OF BEGINNING:

THENCE N 89°49'20" E 10.00 FEET;  
THENCE S 00°10'40" E 20.00 FEET;  
THENCE S 89°49'20" W 10.00 FEET;  
THENCE N 00°10'40" W 20.00 FEET TO THE POINT OF BEGINNING BEING A PART OF THE SW 1/4 OF SAID SECTION 8, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, CONTAINING 200.00 SQ. FT. OR 0.0046 ACRES OF LAND MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY;

TOGETHER WITH THE EXISTING ONE-STORY BRICK BUILDING ADJACENT THERETO, EXCLUDING THE BELOW GRADE BASEMENT AREA RESERVED BY LESSOR EXCLUSIVELY FOR ITS BOARD OF WATER AND LIGHT USE.

FOR AN INITIAL TERM OF 10 YEARS AND WITH 4 RENEWAL OPTIONS OF 10 YEARS.

BE IT FURTHER RESOLVED THAT THE CITY ENTER INTO A NON-EXCLUSIVE EASEMENT WITHIN THE ABOVE DESCRIBED LEASE PREMISES AND THE AREA LEGALLY DESCRIBED AS:

COMMENCING AT THE SW 1/4 CORNER OF SECTION 8, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, THENCE N 00°10'40" W 1314.86 FEET ALONG THE WEST LINE OF SAID SECTION 8, THENCE N 89°49'20" E 85.98 FEET TO THE POINT OF BEGINNING.

THENCE S 00°10'40" E 32.65 FEET;  
THENCE N 89°49'20" E 71.53 FEET;  
THENCE N 88°26'35" E 300.00 FEET;  
THENCE N 90°00'00" E 175.00 FEET TO THE WEST RIGHT OF WAY LINE OF STANLEY ST. (60 FT. WIDE) AND THE POINT OF ENDING, BEING A PART OF THE SW 1/4 OF SAID SECTION 8, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

BE IT FURTHER RESOLVED THAT PROCEEDS OF THE ONE TIME LEASE RESERVATION PAYMENT OF \$2,500.00 FROM AIRTOUCH CELLULAR IS APPROPRIATED AS ESTIMATED REVENUE TO ACCOUNT NO. 410 933890 970000 13021 (PARK ACQUISITION AND DEVELOPMENT).

IT IS FINALLY RESOLVED THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE LEASE, SUBJECT TO PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

THE FOLLOWING RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-22-96 PARKING LOT #7,  
1132 S. WASHINGTON AVENUE

WHEREAS, THE DEPARTMENT OF PUBLIC SERVICE, TRANSPORTATION DIVISION PROPOSES THAT THE CITY MARKET PARKING LOT #7, 1132 S. WASHINGTON AVENUE FOR SALE; AND

WHEREAS, THE PARCEL IS LOCATED ON THE WEST SIDE OF THE 1100 BLOCK OF SOUTH WASHINGTON AVENUE AND EAST OF THE GRAND RIVER; AND

WHEREAS, THE PARKS DEPARTMENT HAS REQUESTED THE CITY RETAIN THE PROPERTY'S FRONTAGE ON THE GRAND RIVER; AND

WHEREAS, BOARD OF WATER AND LIGHT ELECTRIC UTILITIES (TWO POLES, OVERHEAD LINES, AND A TRANSFORMER) ARE LOCATED ON THE SOUTHERN EDGE OF THE SITE; AND

WHEREAS, THE PARKING LOT CURRENTLY SERVES THE BLOCK OF BUSINESS ESTABLISHMENTS ON S. WASHINGTON AVENUE BETWEEN ELM AND SOUTH STREETS; AND

WHEREAS, THESE ESTABLISHMENTS ARE ALSO SERVED BY ON-STREET PARKING ALONG WASHINGTON AVENUE; AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING ON JANUARY 14, 1997 REGARDING THIS ISSUE AND NO MEMBERS OF THE PUBLIC ATTENDED AND NO COMMENTS WERE RECEIVED; AND

WHEREAS, AT ITS MEETING ON FEBRUARY 4, 1997, THE PLANNING BOARD REVIEWED THE LOCATION, CHARACTER AND EXTENT OF THIS PROPOSAL PURSUANT TO ACT 285 OF 1931, AS AMENDED, AND FOUND THAT:

- ▶ 1. THE CURRENT ZONING DESIGNATIONS IN THIS AREA REQUIRE THE PRIVATE PROVISION OF PARKING,
  - ▶ 2. BOTH ON- AND OFF-STREET PARKING FACILITIES ARE UNDERUTILIZED IN THIS AREA,
  - ▶ 3. THE PROPOSAL PROVIDES SUFFICIENT SPACE FOR RIVER TRAIL DEVELOPMENT AT GRADE LEVEL;
- AND

WHEREAS, THE PLANNING BOARD VOTED UNANIMOUSLY (5-0) TO RECOMMEND APPROVAL OF THE REQUEST TO MAKE THE



EASTERNMOST 230 FEET OF PARKING LOT #7 AVAILABLE FOR SALE, RESERVING NECESSARY EASEMENTS, AND TO TRANSFER THE RIVER FRONTAGE TO THE PARKS AND RECREATION DEPARTMENT FOR POSSIBLE USE IN THE RIVER TRAIL; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS REVIEWED THE REPORT AND RECOMMENDATION OF THE PLANNING BOARD AND CONCURS THEREWITH:

NOW, THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY APPROVES THE MARKETING FOR SALE OF THAT PORTION OF PARKING LOT NO. 7, BEING MORE PARTICULARLY DESCRIBED AS:

*BEGINNING AT THE SE CORNER LOT 7, THENCE N 39 FEET, THENCE W 110 FT 10 INCHES, THENCE N 27 FEET, THENCE W 119 FEET 2 INCHES, THENCE S 66 FEET, THENCE EAST 230 FEET TO THE POB, INCLUDING RESERVATION OF S 6 FEET AS EASEMENT FOR COTTAGE COURT, BLOCK 195, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.*

BE IT FINALLY RESOLVED, THE REMAINING PORTION OF PARKING LOT #7 SHALL NOT BE MARKETING FOR SALE AT THIS TIME BECAUSE IT MAY BE DEVELOPED IN THE FUTURE FOR RIVER TRAIL USE.

THERE WAS NO MOTION FOR PASSAGE OF THE FOREGOING RESOLUTION, IT WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

#### RESOLUTION #583

BY GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, MICHIGAN PRIDE, INC. HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NON-PROFIT ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES MICHIGAN PRIDE, INC. AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

RESOLUTION #584  
BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED BOB LEE, 419 S. WASHINGTON, TO THE LANSING ENTERTAINMENT AND PUBLIC

FACILITIES AUTHORITY (LEPFA) BOARD OF DIRECTORS AND

WHEREAS, THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF BOB LEE FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

#### RESOLUTION #585

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, RICHARD AND OLIVIA LETTS, LONG TIME RESIDENTS IN LANSING; AND

WHEREAS, RICHARD AND OLIVIA LETTS WERE EXTREMELY ACTIVE IN THE LANSING COMMUNITY, ANNUALLY VOLUNTEERING HUNDREDS OF HOURS FOR COMMUNITY PROJECTS; AND

WHEREAS, RICHARD LETTS AS DIRECTOR OF THE LANSING HUMAN SERVICES INITIATED MEDIATION INSTEAD OF CONFRONTATION; AND

WHEREAS, THE MEMORIAL REVIEW BOARD, THE PARKS BOARD, THE KINGSLEY ADVISORY BOARD, AND THE PUBLIC SERVICES COMMITTEE, WISHES TO RECOGNIZE THEIR CONTRIBUTION TO THE LANSING COMMUNITY BY RENAMING THE KINGSLEY COMMUNITY CENTER AFTER RICHARD AND OLIVIA LETTS; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES CHANGING THE NAME OF THE KINGSLEY COMMUNITY CENTER TO THE RICHARD AND OLIVIA LETTS COMMUNITY CENTER.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #586

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING HAS OBSERVED UNITED NATIONS DAY WITH BANQUETS, EXHIBITS, AND CEREMONIES FOR THE PAST TWELVE YEARS; AND

WHEREAS, UNDER THE ABLE LEADERSHIP OF OUR OWN COUNCILMEMBER TONY BENAVIDES, WHO SERVED AGAIN AS CHAIR OF THE UN DAY PLANNING COMMITTEE, WE WILL CELEBRATE THE 52ND ANNIVERSARY OF THE UNITED NATIONS WITH INTERNATIONAL BOOTHS AND EXHIBITS AT FRANDOR SHOPPING CENTER ON SATURDAY, OCTOBER 25TH; AND

WHEREAS, SINCE THIS YEAR'S FOCUS IS ON CLEAN WATER,



A UN DAY DINNER AT THE CRISTO REY COMMUNITY CENTER ON FRIDAY, OCTOBER 24TH, WILL FEATURE A PRESENTATION BY SUE MCCORMICK, MANAGER OF WATER TECHNICAL SUPPORT FROM THE LANSING BOARD OF WATER AND LIGHT; AND

WHEREAS, CITY OF LANSING WILL HOLD A CELEBRATION ON FRIDAY, OCTOBER 24TH;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY ENCOURAGES THE CITIZENS OF LANSING TO PARTICIPATE IN THE LOCAL OBSERVANCES OF UNITED NATIONS DAY, AND CELEBRATE THE 52ND ANNIVERSARY OF THIS ORGANIZATION DEDICATED TO PEACE THROUGHOUT THE WORLD.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBER JONES (ABSENT AND UNEXCUSED FOR THIS VOTE)

#### RESOLUTION #587

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, R. JOHN STROLLE HAS SERVED NINE YEARS OF SERVICE AS A MEMBER OF THE BOARD OF COMMISSIONERS OF THE LANSING BOARD OF WATER AND LIGHT; AND

WHEREAS, HE MISSED ONLY ONE MEETING DURING HIS TENURE; AND

WHEREAS, HE HAS MAINTAINED A HIGH STANDARD OF FIDUCIARY RESPONSIBILITY, INTEGRITY, AND EFFECTIVENESS; AND

WHEREAS, HIS PROFESSIONALISM, HARD WORK, AND CONCERNS FOR THE PUBLIC HAVE WON RESPECT AND ADMIRATION OF HIS PEERS.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL THANKS R. JOHN STROLLE FOR HIS COMMUNITY SERVICE WITH THE BOARD OF COMMISSIONERS OF THE BOARD OF WATER AND LIGHT.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBER JONES (ABSENT AND UNEXCUSED FOR THIS VOTE)

THE FOLLOWING RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LEEMAN

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BY 1997 RESOLUTIONS #481 AND #539, COUNCIL ESTABLISHED RESPECTIVELY THE BOUNDARIES FOR THE PROPOSED CAPITOL HISTORIC DISTRICT AND APPROVED THE MAYOR'S APPOINTMENTS TO A STUDY COMMITTEE FOR THE PROPOSED DISTRICT; AND

WHEREAS, COUNCIL HAS MADE A FINDING THAT IRREPARABLE HARM WOULD RESULT TO THE RESOURCES IN THE PROPOSED CAPITOL HISTORIC DISTRICT IF DEMOLISHED AND, THEREFORE, DECLARED A SIX (6) MONTH EMERGENCY MORATORIUM ON ALL SUCH DEMOLITIONS; AND

WHEREAS, IN ADDITION TO DEMOLITIONS REQUIRING DEMOLITION PERMITS, THE PLANNING MANAGER REQUESTS CLARIFICATION OF THE MORATORIUM APPLICATION TO STRUCTURAL ALTERATIONS REQUIRING BUILDING PERMITS THAT CAN RESULT IN PARTIAL DEMOLITION OF EXISTING STRUCTURAL FEATURES;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL FINDS THAT IN THE PROPOSED CAPITOL HISTORIC DISTRICT ANY WORK WHICH WOULD RESULT IN A MATERIAL, SUBSTANTIAL OR SIGNIFICANT PARTIAL DEMOLITION OR LOSS OF ANY EXISTING EXTERIOR STRUCTURAL FEATURE OF A POTENTIAL RESOURCE IS IRREPARABLE HARM UNDER ORDINANCE 1220.03(G) AND DECLARES SUCH WORK (INCLUDING ALL ALTERATION, MODIFICATION, REPLACEMENT OR LOSS) TO BE UNDER THE SIX (6) MONTH MORATORIUM ESTABLISHED IN RESOLUTION #481 OF 1997.

BE IT FURTHER RESOLVED IN THE PROPOSED CAPITOL HISTORIC DISTRICT, THE PLANNING MANAGER, AND HER DESIGNEES, SHALL NOT ISSUE ANY BUILDING PERMIT FOR POTENTIAL RESOURCES IF THE PERMIT IS FOR WORK WHICH WOULD RESULT IN A MATERIAL, SUBSTANTIAL OR SIGNIFICANT PARTIAL DEMOLITION OR LOSS OF ANY EXISTING EXTERIOR STRUCTURAL FEATURE OF THE RESOURCE.

BE IT FINALLY RESOLVED ANY BUILDING PERMIT APPLICANT WHO, DURING THE MORATORIUM, IS AGGRIEVED BY THE DETERMINATION OF THE PLANNING MANAGER, OR HER DESIGNEES, AS PROVIDED FOR IN THIS RESOLUTION, MAY PETITION THE CITY COUNCIL FOR REVIEW OF THE DENIAL.

THERE WAS NO MOTION FOR ADOPTION OF THIS RESOLUTION, IT WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LEEMAN

#### RESOLUTION #588

MOTION TO RECONSIDER BY  
COUNCILMEMBER TONY BENAVIDES

BY COUNCILMEMBER BENAVIDES

TO RECONSIDER THE VOTE TAKEN BY COUNCIL ON OCTOBER 13, 1997 ON THE RESOLUTION (RESOLUTION #574) AUTHORIZING LOAN APPLICATION FOR FUNDING FOR A PUBLIC HOUSING DEVELOPMENT ON THE LINDELL DROP FORGE SITE, AND THAT THIS MATTER BE REFERRED TO THE PUBLIC SERVICES COMMITTEE



CARRIED UNANIMOUSLY

## OTHER BUSINESS

### ► PUBLIC COMMENT ON CITY RELATED MATTERS

*COUNCILMEMBERS LILLY AND NOVAK LEFT THIS MEETING OF THE LANSING CITY COUNCIL AT 8:45 P.M. AND WERE EXCUSED BY COUNCIL PRESIDENT BEAL*

BILL HODGE OF 1246 DAKIN STATED THAT HE IS A WRITE-IN-CANDIDATE FOR ONE OF THE TWO AT-LARGE CITY COUNCIL SEATS THAT ARE UP FOR ELECTION THIS NOVEMBER 4, 1997. HE SAID THAT WHAT HAPPENED AT TONIGHT'S MEETING IS POLITICS AS USUAL IN LANSING. HE SAID THAT HE IS A REALTOR IN LANSING AND FINDS IT QUITE A CHALLENGE TO BRING RESIDENTS INTO THE CITY.

GERALD RALEIGH OF 737 N. PENNSYLVANIA SAID THAT HE OWNS A LOT AT THE CORNER OF PENNSYLVANIA AND MAIN ST. HE WAS ISSUED A PARKING TICKET IN JULY FOR PARKING EQUIPMENT ON HIS LOT. THE CITY WILL NOT ALLOW HIM TO DO ANYTHING WITH THIS PROPERTY, HE CAN'T PUT A SHED ON IT, PLANT TREES ON IT, OR PARK HIS EQUIPMENT ON IT. HE HAS TELEPHONED COUNCILMEMBER LEEMAN, BUT CANNOT GET HIS PHONE CALLS RETURNED. HE ASKED FOR ASSISTANCE WITH THIS PROBLEM.

WILLY WILLIAMS OF 505 W. LENAWEE ASKED ABOUT THE ISSUE OF SEPARATION OF CHURCH AND STATE IN ASSOCIATION WITH THE CANDIDACY OF REVEREND MICHAEL MURPHY. HE STATED HIS ENDORSEMENT OF CANDIDATES FOR THE NOVEMBER GENERAL ELECTION.

FRANK CURTIS "X", NO ADDRESS GIVEN, CRITICIZED MAYOR HOLLISTER AND SAID THAT IT IS UNFAIR TO THE PUBLIC THAT HE LEAVES COUNCIL MEETINGS BEFORE THEY HAVE AN OPPORTUNITY TO SPEAK TO HIM ON ISSUES.

ELAINE WOMBOLT, PRESIDENT OF LEARNING DISABILITIES FAMILIES AND FRIENDS SAID THAT THEIR ANNUAL "MAKE A DIFFERENCE DAY" EVENT WILL BE HELD ON OCTOBER 25TH, THIS YEAR AT POTTER PARK, BEGINNING AT 10:00 A.M. THE ENTRY FEE IS \$10.00. MAYOR AND MRS. HOLLISTER WILL KICK OFF THE EVENT.

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING DISPLAYED A PIECE OF LITERATURE PRINTED AND CIRCULATED BY CITIZENS AGAINST PROPOSAL 1 (CAP1). HE QUESTIONED THE LEGALITY OF THE LITERATURE, WHERE IT WAS PRINTED AND THE MANPOWER USED TO CIRCULATE IT. HE URGED CITIZENS TO READ THE LITERATURE AVAILABLE ON BOTH SIDES OF THIS ISSUE AND VOTE THEIR CONSCIENCE.

HAROLD KING OF 1563 N. HIGH ST. SPOKE IN SUPPORT OF A NORTH SIDE POLICE PRECINCT.

RICHARD COLLINS OF 225 MOORES RIVER DR. SAID THAT HE IS HERE TO TALK ABOUT THE LITERATURE FROM CAP1. HE SAID THAT HE KNOWS THAT THIS GROUP IS NOT A REGISTERED POLITICAL ACTION COMMITTEE (PAC). THEY HAVE A LANSING POST OFFICE BOX FOR THEIR ADDRESS AND A HOLT ZIP CODE.

LLOYD TEETS OF 116 E. ELM ST. STATED HIS CRITICISMS OF THE CAP1 LITERATURE. HE BELIEVES IT TO BE IN VIOLATION OF MCL 24.263 THE MICHIGAN ADMINISTRATIVE PROCEDURES ACT.

ED SIMMER OF 2609 DIER SPOKE REGARDING THE YARD SIGNS OPPOSING PROPOSAL 1. THERE ARE CURRENTLY \$70,000,000 IN LAWSUITS AGAINST THE POLICE DEPARTMENT, HE SAID. IT IS A SAD DAY WHEN THE LANSING POLICE DEPARTMENT INTIMIDATES LANSING RESIDENTS BY THREATENING THEM WITH THE FINANCIAL RAMIFICATIONS OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.

JUDY HACKETT OF 625 N. PENNSYLVANIA STATED HER SUPPORT OF THE NORTH SIDE POLICE PRECINCT. SHE HAS NO PREFERENCE ON THE LOCATION, BUT WOULD LIKE TO SEE THE PROJECT MOVE FORWARD.

RICHARD FISER OF 12100 S. CORK IN MORRICE, MI ASKED WHEN THE GENERAL SERVICE COMMITTEE WOULD BEGIN HEARING THEIR STORM WATER ENTERPRISE APPEALS. THEY HAVE BEEN WAITING FOR OVER 1 1/2 YEARS. IF THE COMMITTEE IS NOT GOING TO HEAR THE APPEALS, THEN THE PAST DUE BILLS SHOULD NOT BE ALLOWED TO ACCRUE INTEREST.

ALEXANDER BOLT OF 1230 REO RD. STATED THAT CARTO (CITIZENS AGAINST THE RAIN TAX ORDINANCE) WILL NOT CIRCULATE INITIATIVE PETITIONS TO REPEAL THE STORM WATER ENTERPRISE FUND ORDINANCE UNTIL NEXT SPRING, BECAUSE THEY ARE WAITING DECISION OF THE SUPREME COURT. THEY WILL ATTEMPT TO GET ALL OF THE MONIES PAID TO THE CITY BY RESIDENTS RETURNED WITH INTEREST. HE STATED THAT HE PAID A VISIT TO CHANNEL 10 TODAY AND LEARNED THAT MAYOR HOLLISTER REFUSES TO DEBATE COUNCILMEMBER BEAL ON COMMERCIAL TELEVISION.

ALBERTA JORDAN, NO ADDRESS GIVEN, THANKED THE COMMUNITY FOR THEIR SUPPORT OF THE CITIZENS REVIEW BOARD. SHE URGED EVERYONE TO VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THIS IS ON THE NOVEMBER 4, 1997 GENERAL ELECTION BALLOT. THE SAME BALLOT ON WHICH YOU WILL VOTE FOR MAYOR.

JOYCE TEDDER OF P.O. BOX 6552 E. LANSING SAID THAT SHE IS ASHAMED TO LIVE IN LANSING. SHE IS ASHAMED OF THE KILLING OF EDWARD SWANS IN THE LANSING JAIL AND THE SHOOTING OF GARY BOZEK. SHE IS A HANDICAPPED PERSON AND THESE ARE ALARMING SITUATIONS TO HER.

REVEREND LESTER D. STONE OF 1603 W. KALAMAZOO SAID THAT HE IS IN POSSESSION OF A LETTER FROM THE CITY'S INSURANCE CARRIER SAYING THAT THE CITIZENS REVIEW BOARD PROPOSAL WILL JEOPARDIZE THE CITY'S LIABILITY INSURANCE COVERAGE. IF THIS IS THE CASE, THE INSURANCE COMPANY WOULD HAVE BEEN SCREAMING 19 YEARS AGO, BECAUSE THE BOARD OF POLICE COMMISSIONERS HAS THE SAME JURISDICTION AND POWERS THAT THE CITIZENS REVIEW BOARD WOULD HAVE. HE URGED PEOPLE TO READ THIS LETTER FOR THEMSELVES, AND TO THEN VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE SAID



THAT SHE AND DICK HAVE BEEN APPEALING THEIR STORM WATER ENTERPRISE FEES SINCE THEY GOT THEIR FIRST BILL FOR 1995. THE GENERAL SERVICES COMMITTEE IS MEETING WEEK AFTER WEEK WITHOUT HEARING THE STORM WATER ENTERPRISE APPEALS.

CHRIS MAGNUS OF 2101 BELMONT, A RESIDENT OF THE CITY OF LANSING AND AN OFFICER FOR THE LANSING POLICE DEPARTMENT, SAID THAT THE CAPI IS A DULY REGISTERED PAC WITH THE SECRETARY OF STATE. THE LITERATURE THAT HAS BEEN QUESTIONED HERE TONIGHT HAS BEEN PAID FOR BY DONATIONS FROM LANSING RESIDENTS, AND ARE BEING CIRCULATED BY LANSING RESIDENTS, NEIGHBORHOOD GROUPS, AND, SOME LPD OFFICERS, NONE OF WHOM ARE CAMPAIGNING ON DUTY. THERE HAVE BEEN NO CITY FUNDS EXPENDED ON THIS CAMPAIGN. CITIZENS NEED TO BE GIVEN THE TRUTH. THE ALLEGATIONS MADE ABOUT CAPI AND THEIR LITERATURE HERE TONIGHT ARE COMPLETELY FALSE.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT THE LETTER FROM THE INSURANCE COMPANY, REFERRED TO BY REVEREND STONE, TRUTHFULLY CITES THE JEOPARDY THAT THE CITY'S LIABILITY COVERAGE WILL SUFFER AS A RESULT OF THE CITIZENS REVIEW BOARD.

#### **CITY OFFICER & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LANSING POLICE DEPARTMENT ANNUAL REPORT 1996

REFERRED TO THE INTERNAL AUDITOR

3. OUTSIDE AUDITORS, COOPERS & LYBRAND SUBMIT INDEPENDENT AUDITORS REPORT FY ENDED JUNE 30, 1997, EXCLUDING LEPFA AND TIFA

REFERRED TO THE INTERNAL AUDITOR

4. LETTER FROM THE CITY ATTORNEY RE: STEVEN THOMAS FLOYD V CITY OF LANSING

RECEIVED AND PLACED ON FILE

5. AFFIDAVIT OF DISCLOSURE FILED BY LPD OFFICER, DETECTIVE OWEN DEATRICK

REFERRED TO THE BOARD OF ETHICS

6. LETTER FROM OUTSIDE LEGAL COUNSEL RE: CITY COUNCIL OF THE CITY OF LANSING V LANSING CITY CLERK, ET AL

RECEIVED AND PLACED ON FILE

7. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: LPD, PUBLIC SERVICE DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. CAPITAL NEEDS REQUEST; OLDSMOBILE PARK CAPITAL IMPROVEMENTS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. LETTER OF APPRECIATION FROM MR. & MRS. RALPH RYAL OF 745 VANCE TO PARKS & RECREATION DIRECTOR R. ERIC REICKLE

RECEIVED AND PLACED ON FILE

D. LETTER OF APPRECIATION FROM MARGARET GREEN TO LPD OFFICERS BRAD CAREY, RICK GLEASON AND DON CHRISTY

RECEIVED AND PLACED ON FILE

E. LETTER OF APPRECIATION FROM THE INGHAM COUNTY PROSECUTOR'S OFFICE TO DETECTIVE PAUL WEIDNER OF LPD

RECEIVED AND PLACED ON FILE

F. RESIGNATION OF ALISON J. BONE FROM THE PLUMBING BOARD

RECEIVED AND PLACED ON FILE

G. ACT-07-96; SALE OF MILLER RD. PROPERTY

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

H. Z-21-97; 5030 S. CEDAR

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

I. REQUEST FOR APPROPRIATION OF COMMUNITY USE FUNDS FOR FESTEVE

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

J. RECOMMENDATIONS FOR NORTH SIDE POLICE PRECINCT

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

#### **COMMUNICATIONS & PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION SUBMITTING CONTRACT #97-5483 DECK OVERLAY FOR R1 OF 33034 (LARCH ST. OVER THE TRACKS OF CSX AND I-96)



REFERRED TO THE MAYOR AND THE PUBLIC SERVICE DEPT.

2. LETTER FROM HUGH B. CLARKE, JR. TO MEDIA ONE PROTESTING THE LACK OF FOX SPORTS NETWORK ON THEIR CABLEVISION SYSTEM

REFERRED TO THE CABLE & TELECOMMUNICATIONS ADVISORY BOARD

3. LETTER FROM PENNY ILLEMSKY OF 1314 MAY ST. REGARDING CONSTRUCTION ON MAY ST.

REFERRED TO THE MAYOR AND THE PUBLIC SERVICES DEPARTMENT AND THE PUBLIC SERVICE COMMITTEE

4. LETTER FROM THE MOORES PARK NEIGHBORHOOD ORGANIZATION REQUESTING FUNDING FOR THE REPLACEMENT OF BENCHES AT MOORES PARK POOL IN THE AMOUNT OF \$8,000

REFERRED TO THE MAYOR, THE PARKS AND RECREATION DEPARTMENT, AND THE COMMITTEE ON WAYS AND MEANS

5. LETTER FROM ATTORNEYS SUBMITTING CORRECTIONS TO THE CAPITAL AREA DISTRICT LIBRARY 1997 TAX RATE REQUEST

REFERRED TO THE MAYOR

6. FREEDOM OF INFORMATION ACT REQUEST SUBMITTED BY HELEN FISER REGARDING THE CSO PROJECT AND THE FEDERAL CLEAN WATER ACT

REFERRED TO THE CITY ATTORNEY

7. LETTERS FROM CHRISTINE TIMMON RE: CITIZENS REVIEW BOARD, THE REELECTION CAMPAIGN OF COUNCILMEMBER JONES

RECEIVED AND PLACED ON FILE

8. LETTER FROM BEATRICE PAYNE OF 805 BATES ST. PROTESTING THE TRAFFIC BARRICADE ON JEROME ST.

REFERRED TO THE MAYOR, THE PUBLIC SERVICE DEPARTMENT AND THE COMMITTEE ON PUBLIC SAFETY

9. STORMWATER FEE APPEAL OF RODNEY R. RAY 3430 PALMER

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE DEPARTMENT

10. LETTER FROM NORTH PRECINCT ADVISORY BOARD STATING THEIR OPPOSITION TO THE CITIZENS REVIEW BOARD BALLOT PROPOSAL

RECEIVED AND PLACED ON FILE

11. APPLICATION FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FILED BY ATMOSPHERE ANNEALING, INC. OF 209 W. MT. HOPE AVE.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

12. SUSPENSION ITEM FROM COUNCILMEMBER LEEMAN; LETTERS IN SUPPORT OF LOCATING THE NORTH SIDE POLICE PRECINCT IN THE WORTHINGTON BUILDING AT 1611 N. GRAND RIVER

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER SAID THAT SHE IS HAPPY TO OBSERVE THAT DEMOCRACY IS ALIVE AND WELL IN LANSING. SHE COMPLIMENTED EVERYONE IN THE WEST SIDE NEIGHBORHOOD ASSOCIATION FOR THE WONDERFUL HOME TOUR THEY CONDUCTED LAST WEEKEND. DAVE AND BEVERLY WIENER HAD THEIR HOME OPEN. THIS WAS A GOOD PUBLIC RELATIONS EVENT FOR THE CITY. THE PROCEEDS FROM THE FUND RAISER WILL GO TO THE ADVENT HOUSE. SHE NOTED THAT GENERAL MOTORS ENJOYED A RECORD PERFORMANCE IN THE THIRD QUARTER FOR THE NORTH AMERICAN GROUP. THIS IS GOOD FOR LANSING AND A GOOD TESTIMONY TO THEIR WORKERS. SHE SENT HER BEST WISHES FOR A COMPLETE AND SPEEDY RECOVERY TO THE FAMILY OF DOWNED LANSING POLICE OFFICER, NORMAN ARMSTRONG, SHOT FOUR TIMES DURING AN OFF-DUTY DISPUTE. SHE SENT WELL WISHES TO ELSIE, A VOLUNTEER IN THE INGHAM MEDICAL GIFT SHOP.

COUNCILMEMBER JONES REMARKED ON THE FUND RAISER DANCE THAT WAS HELD FOR THE STRIKING EMPLOYEES OF MELLING FORGE. DONATIONS TO THIS CAUSE CAN BE MADE TO THE LOCAL 724 STRIKE RELIEF FUND AND SENT C/O THE LANSING CITY COUNCIL TO 124 W. MICHIGAN AVE., LANSING, MI 48933.

COUNCILMEMBER LEEMAN NOTED THAT ONE WEEK AGO TONIGHT THE OWNER OF A PARTY STORE ON GRAND RIVER IN NORTH LANSING, WHO DID A LOT OF GOOD FOR THE RESIDENTS IN THIS AREA, WAS FATALLY WOUNDED IN A ROBBERY AT HIS STORE. A LOT OF PEOPLE ARE WORKING VERY HARD TO SOLVE THIS CASE. ANYONE WHO KNOWS ANYTHING ABOUT IT IS REQUESTED TO PLEASE CALL THE LANSING POLICE DEPARTMENT TO RELAY INFORMATION. THE CITY WILL CONTINUE TO IMPROVE THIS AREA, BUT IT IS A TRAGEDY THAT WE HAVE LOST SUCH A GOOD PERSON, WHO DID SO MUCH FOR THE NEIGHBORHOOD.

COUNCILMEMBER BEAL APOLOGIZED TO HER COLLEAGUES IF THEY WERE UNCOMFORTABLE WITH THE DIALOGUE BETWEEN HER AND MAYOR HOLLISTER. SHE IS CONCERNED ABOUT THE USE OF COMMENTS ABOUT THE CAMPAIGN FINANCE LAW EVERY TIME SOMEONE SAYS SOMETHING THAT THE MAYOR DOES NOT WANT TO HEAR AT A CITY COUNCIL MEETING. THEY NEED TO AFFORD THE PUBLIC AN OPPORTUNITY TO HEAR THE DIFFERENT POINTS OF VIEW ON ISSUES. IT IS UNFORTUNATE THAT MAYOR HOLLISTER TOOK THE POSITION THAT HE WILL NOT DEBATE HER ON COMMERCIAL TELEVISION.

### MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

MR. WIENER RESPONDED TO COMMENTS MADE ABOUT THE RENAMING OF THE KINGSLEY COMMUNITY CENTER IN FAVOR



OF RICHARD AND OLIVIA LETTS. THE KINGSLEY FAMILY OWNED THIS PLAT OF LAND BACK IN THE 19TH CENTURY. KINGSLEY COURT IS NAMED AFTER THEM. THE KINGSLEY CENTER WAS NAMED SO, BECAUSE IT IS ON KINGSLEY COURT. THE KINGSLEYS WILL RETAIN THEIR HONORARIUM IN THE FORM OF THE STREET NAME. HE THANKED COUNCILMEMBER BAUER FOR COMPLIMENTING THE WSNA HOME TOUR. HE ANNOUNCED TWO PUBLIC DEBATES THAT ARE COMING UP THIS WEEK. ONE ON WEDNESDAY ON WKAR TV STATION, AND ONE NEXT MONDAY ON WKAR RADIO STATION. HE ANNOUNCED THAT THE "MEALS ON WHEELS" PROGRAM NEEDS DRIVERS. INTERESTED PARTIES MAY CALL 887-1440.

**ADJOURNED 10:20 P.M.**  
**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF OCTOBER 27, 1997**

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CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN

ABSENT: COUNCILMEMBERS LILLY, NOVAK

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF OCTOBER 13, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER BENAVIDES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION APPROVING A FIREWORKS DISPLAY PERMIT FOR LARRY HOLLY AT OLDSMOBILE PARK ON OCTOBER 27, 1997

2. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION AUTHORIZING USE OF THE PARKS & RECREATION DEPARTMENT SHOWMOBILE FOR DIA DE LOS MUERTOS

3. FROM COUNCILMEMBER ALLEN; AN ORDINANCE PROVIDING DISCOUNTED PARKING RATES FOR DOWNTOWN SHOPPING IN THE FIRST, SECOND AND THIRD BLOCKS OF WASHINGTON SQUARE MALL BETWEEN 11:00 A.M. AND 2:00 P.M.

4. FROM COUNCILMEMBER JONES; A RESOLUTION AUTHORIZING GRANT APPLICATION FOR LAPTOP COMPUTERS

5. FROM COUNCILMEMBER JONES; A LETTER FROM JIHAN AL-MIN OF 3238 N. WAVERLY REQUESTING INSTALLATION OF A PEDESTRIAN TRAFFIC SIGNAL

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &**

**ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER ALLEN ANNOUNCED THAT MR. REX GILLETTE HAS INVITED EVERYONE TO JOIN HIM IN CELEBRATION OF HIS BIRTHDAY ON SUNDAY, NOVEMBER 2, 1997 FROM 3:00 P.M. TO 8:00 P.M. AT MIJO'S. SHE REPORTED MAKING ARRANGEMENTS WITH THE PRINCIPAL AT EVERETT HIGH SCHOOL FOR HIGH SCHOOL STUDENTS TO VOLUNTEER FOR A SNOW REMOVAL PROGRAM FOR ELDERLY, HANDICAPPED, AND SHUT-IN RESIDENTS WHO NEED HELP CLEARING THEIR SIDEWALKS DURING SNOW EVENTS.

COUNCILMEMBER LEEMAN ANNOUNCED THE NORTH TOWN NEIGHBORHOOD ASSOCIATION MEET THE CANDIDATES NIGHT, TOMORROW, TUESDAY, OCTOBER 28, 1997 AT CRISTO REY COMMUNITY CENTER. HE URGED INTERESTED CITIZENS TO PARTICIPATE. THEY WILL SPONSOR A DEBATE FOR THE MAYORAL RACE, THE AT-LARGE COUNCILMEMBER RACE, AND THE SECOND WARD COUNCIL RACE.

COUNCILMEMBER JONES THANKED THE MANY PARKS & RECREATION, PUBLIC SERVICE DEPARTMENT AND BOARD OF WATER & LIGHT EMPLOYEES WHO PUT IN 12-16 HOURS, OR MORE, BECAUSE OF SUNDAY'S SNOW STORM. THESE CREWS HAVE BEEN OUT SINCE 11:00 P.M. LAST EVENING. HE REPORTED WATCHING A TODAY SHOW EPISODE DEALING WITH THE NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA), REPORTING THAT IT TAKES JOBS AWAY FROM AMERICANS AND REPLACES THEM WITH CITIZENS OF MEXICO WHO EARN 59¢ PER HOUR. WE LOST THOUSANDS OF JOBS TO MEXICO BECAUSE OF THIS AGREEMENT.

COUNCILMEMBER BEAL THANKED THE LPD OFFICERS WHO PERFORMED HAZARDOUS DUTY AT THE CITY'S MAIN INTERSECTIONS TODAY BY DIRECTING TRAFFIC IN THE ABSENCE OF OUR TRAFFIC INFORMATION SYSTEM, WHICH WAS TAKEN OUT BY THE STORM. SHE INTRODUCED A COALITION OF VISITING TEACHERS FROM JAPAN WHO ARE GUEST/OBSERVERS IN TONIGHT'S AUDIENCE. SHE HAD DINNER WITH THEM AT THE RADISSON TONIGHT AND THEY TOURED THE CITY EARLIER TODAY WITH FORMER COUNCILWOMAN LUCILE BELEN.

MAYOR HOLLISTER THANKED COUNCILMEMBER JONES FOR HIS COMMENTS IN APPRECIATION OF THE PARKS & RECREATION AND PUBLIC SERVICE DEPARTMENTS AND BOARD OF WATER & LIGHT EMPLOYEES WHO HAVE BEEN WORKING TO RESTORE POWER AND TO CLEAR THE DEBRIS FROM THE RECENT STORM. HE INTRODUCED FIRE CHIEF MARTIN, THE CITY'S EMERGENCY COORDINATOR, JOE PANDY, EXECUTIVE DIRECTOR OF THE BOARD OF WATER & LIGHT, DOUGLAS RUBLEY, ACTING PUBLIC SERVICE DIRECTOR, MURDOCK JEMMERSON OF THE PARKS & RECREATION FORESTRY DEPARTMENT, AND LT. HELEN PERRY-BUSE OF THE POLICE DEPARTMENT, WHO WILL BRING US UP TO DATE ON THE AFFECTS OF THE STORM.



FIRE CHIEF MARTIN SAID THAT THE AMERICAN RED CROSS ON EAST GRAND RIVER, AS WELL AS OTHER AGENCIES, ARE OPENING THEIR DOORS AS EMERGENCY SHELTERS TONIGHT. CATA WILL PROVIDE FREE TRANSPORTATION FOR PEOPLE WHO NEED TO BE MOVED TO THE SHELTERS, PROVIDING THAT THEY ARE NOTIFIED BY 11:00 P.M. THE TELEPHONE NUMBER TO CALL AT THE RED CROSS IS 484-7461. HE CAUTIONED THOSE PEOPLE WHO WILL BE STAYING IN THEIR HOMES WITHOUT POWER TO BE CAREFUL AND NOT TO USE KEROSENE.

LT. PERRY-BUSE URGED RESIDENTS TO USE THE 911 SYSTEM FOR EMERGENCIES ONLY. THERE ARE POLICE OFFICERS STATIONED AT 7 MAJOR INTERSECTIONS WORKING 12 HOUR SHIFTS. THE TRAFFIC LIGHTS SHOULD BE UP AND RUNNING BY TOMORROW MORNING.

MR. PANDY NOTED THAT THIS IS THE WORST ICE STORM THE CITY HAS SUFFERED SINCE 1985. THERE WERE 23,200 PEOPLE OUT OF POWER LAST NIGHT AT 11:00. THAT NUMBER IS DOWN TO 8,000 RIGHT NOW, AND IS EXPECTED TO DROP FURTHER TO 4,000 BY MID-NIGHT. THE REMAINING RESIDENTS WILL HAVE THEIR POWER RESTORED BY EARLY ON TUESDAY. THEY HAVE HAD IN EXCESS OF 300 PEOPLE WORKING ALL DAY TO GET POWER RESTORED. THE BOARD SHOULD HAVE THEIR CUSTOMERS RESTORED PRIOR TO ALL OTHER UTILITIES, WHICH IS USUALLY THE CASE. HE THANKED THE PARKS & RECREATION AND PUBLIC SERVICE DEPARTMENTS FOR THEIR ASSISTANCE THROUGHOUT THE DAY. HE URGED PEOPLE TO USE CAUTION AROUND ANY WIRE THAT IS DOWNED. THEY SHOULD ALL BE TREATED AS THOUGH THEY ARE LIVE WIRES. HE TOLD RESIDENTS THAT THERE IS NO NEED FOR THEM TO CALL THE BOARD TO INFORM THEM OF POWER OUTAGES. THEY ARE FULLY AWARE OF THE EXACT AREAS WITHOUT POWER. HE DISTRIBUTED A FLIER DESCRIBING WHAT THOSE AREAS ARE. HE URGED PEOPLE TO BE VERY CAREFUL AROUND TREES. TREES CAN BECOME LIVE POWER CONDUCTORS IN THIS TYPE OF STORM.

MURDOCK JEMERSON ANNOUNCED THAT FIVE FORESTRY CREWS STARTED WORKING LAST NIGHT TO REMOVE TREE LIMBS AND DEBRIS. THEY HAVE RECEIVED MORE THAN 560 PHONE CALLS. THESE REPORTS ARE SORTED ACCORDING TO PRIORITIES IN TERMS OF LIFE THREATENING AND PROPERTY THREATENING FACTORS. THEY HAVE MOST OF THE LIMBS CLEARED OF THE POWER LINES AT THIS TIME. THEIR PRIORITY NOW, IS CLEARING THE STREETS. THEIR CREWS ARE STILL OUT WORKING AND WILL REMAIN SO THROUGHOUT THE NIGHT.

PUBLIC SERVICE DIRECTOR, RUBLEY SAID THAT THEY HAVE HAD SHOVELING CREWS OUT SINCE 1:30 A.M. THE MAJOR STREETS WERE CLEARED BY 3:30 P.M. TODAY. THEY WILL RE-EVALUATE THE SITUATION IN THE MORNING TO DETERMINE FURTHER CLEARING NEEDS FOR THE SIDE STREETS.

COUNCILMEMBER JONES CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE COMMITTEE ON WAYS AND MEANS THIS WEDNESDAY AT 4:00 P.M., WHERE THEY WILL CONSIDER EXTENDED REVENUE NEEDS FOR EMERGENCY SERVICES REQUIRED BY THE SOTRM. HE ASKED MR. PANDY WHY SO MANY PEOPLE WHO CALLED THE BOARD TO REPORT POWER OUTAGES GOT VOICE MAIL. MR. PANDY APOLOGIZED AND CITED THE FACT THAT 23,000 PEOPLE WERE TRYING TO GET THROUGH. WHEN THAT HAPPENS, PHONE LINES GET

JAMMED, AND VOICE MAIL SYSTEMS ARE ACCESSED. THEY ARE WORKING ON WAYS TO IMPROVE THIS SYSTEM.

COUNCILMEMBER ALLEN ASKED ABOUT THE CITY'S POLICY FOR TREE AND TREE LIMB PICKUP. SPECIFICALLY, WHAT IS THE RESPONSIBILITY OF RESIDENTS IN TERMS OF GETTING THESE LIMBS INTO THE EASEMENT AREA, AND WHEN WILL THE CITY START THE CLEANUP. SHE URGED PEOPLE TO BRING THEIR PETS INDOORS TONIGHT.

MR. RUBLEY SAID THAT CREWS WILL REMOVE TREES AND TREE LIMBS THAT ARE IN THE RIGHT-OF-WAY AREA. ANY DOWNED TREES OR LIMBS THAT ARE ON RESIDENTS PRIVATE PROPERTY MUST BE PLACED IN THE RIGHT OF WAY AREA IF THEY ARE TO BE PICKED UP BY THE CITY.

COUNCILMEMBER BEAL STATED HER DESIRE TO HELP RESIDENTS AS MUCH AS POSSIBLE. THE CITY WILL HAVE CREWS AND CHIPPERS OUT ANYWAY, AND SHOULD MAKE AN EFFORT TO ASSIST RESIDENTS IN ANY WAY THAT WE CAN. IF RESIDENTS CAN GET THEIR TREES AND LIMBS OUT NEAR THE CURB AREA, WE SHOULD BE ABLE TO CLEAR THEM UP.

MR. RUBLY SAID THAT THE CLEANUP HAS ALREADY STARTED AND WILL TAKE A WEEK OR TEN DAYS AT A MINIMUM. TRASH PICKUP IS ON THE REGULAR SCHEDULE.

COUNCILMEMBER BAUER AGREED WITH COUNCILMEMBERS BEAL AND ALLEN THAT THE CITY SHOULD ASSIST RESIDENTS AS MUCH AS POSSIBLE WITH TREE CLEANUP.

COUNCILMEMBER BENAVIDES URGED THE ADMINISTRATION TO GET INFORMATION ABOUT THE CLEANUP EFFORTS ON CHANNEL 28 AND TO ADVERTISE THE PHONE NUMBERS THAT RESIDENTS SHOULD CALL.

COUNCILMEMBER LEEMAN THANKED THE EMERGENCY SERVICES PANEL FOR THEIR REPORT AND ASKED THEM TO KEEP COUNCIL INFORMED AS TO THEIR PROGRESS OVER THE NEXT SEVERAL DAYS. HE ASKED MAYOR HOLLISTER TO AFFIRM THE POLICY, AGREED UPON HERE TONIGHT, THAT THE CITY WILL PICK UP ALL LIMBS IN, OR NEAR, THE RIGHT-OF-WAY. MAYOR HOLLISTER COMPLIED WITH COUNCILMEMBER LEEMANS REQUEST.

MR. RUBLEY WARNED RESIDENTS THAT TEMPERATURES ARE EXPECTED TO DIP BELOW FREEZING BY 11:30 P.M. TONIGHT, EVERYONE SHOULD BE EXTREMELY CAREFUL ON THEIR DRIVE TO WORK TOMORROW MORNING.

MAYOR HOLLISTER THANKED THE LOCAL BROADCAST TELEVISION STATIONS WHO HAVE BEEN GREAT ABOUT RUNNING PUBLIC SERVICE ANNOUNCEMENTS TO KEEP PEOPLE INFORMED. HE REPEATED THE PHONE NUMBER FOR THE AMERICAN RED CROSS, 484-7461, AND REMINDED PEOPLE WHO REQUIRE TRANSPORTATION TO EMERGENCY SHELTERS TO CALL CATA BEFORE 11:00 P.M.

CITY CLERK, MARILYNN SLADE, REMINDED VOTERS OF SOME CHANGES IN VOTING PRECINCTS FOR NEXT WEEKS ELECTION. VOTERS WHO NORMALLY VOTE IN WARD 1, PRECINCTS 14 AND 16 AT FOSTER COMMUNITY CENTER, WILL BE VOTING [FOR THIS ELECTION ONLY] AT THE NAVAL RESERVE CENTER AT THE CORNER OF MARSHALL AND SAGINAW. WARD



1, PRECINCT 7, FORMERLY LOCATED AT THE WALTER FRENCH ACADEMY, HAS BEEN PERMENANTLY MOVED TO THE SOUTH BAPTIST CHURCH AT 100 E. MT. HOPE [CORNER OF MT. HOPE AND S. CEDAR]. ALL AFFECTED VOTERS HAVE RECEIVED WRITTEN NOTICE FROM THE CITY CLERK'S OFFICE.

► SPECIAL CEREMONIES

A. TRIBUTE: R. JOHN STROLLE, BOARD OF WATER & LIGHT COMMISSIONER

PULLED FROM THE AGENDA AT THE REQUEST OF MAYOR HOLLISTER

B. MAYOR HOLLISTER INTRODUCED JEFFY LEVY, BRIAN JOHNSON, AND JAMAAL PARKER, MEMBERS OF THE YMCA INTERNATIONAL TEEN AMBASSADOR PROGRAM. THEY REPORTED ON AN EXCHANGE PROGRAM TRIP THEY TOOK TO OUR SISTER CITY, ST. PETERSBURG, RUSSIA. MOST OF THEIR TIME WAS SPENT IN DOWNTOWN ST. PETERSBURG. THERE ARE MANY GORGEOUS AREAS OF THE CITY, BUT MANY PARTS ARE IN ECONOMIC TROUBLE. THEY MET WITH MEMBERS OF THE ST. PETERSBURG YMCA VOLUNTEER STAFF TO DISCUSS POSSIBLE OPTIONS FOR ASSISTING ECONOMIC REDEVELOPMENT. THEY PRESENTED A TEE SHIRT TO MAYOR HOLLISTER FROM THE INTERNATIONAL TEEN AMBASSADOR PROGRAM.

C. MAYOR HOLLISTER PRESENTED A PROCLAMATION TO WILLIAM STOPPAL PROCLAIMING NOVEMBER 1997 AS MICHIGAN VIETNAM MONUMENT MONTH. THE MONUMENT IS BEING ERECTED IMMEDIATELY WEST OF THE CAPITAL BUILDING. THEY ARE CONDUCTING A FUND RAISER AND ARE SOLICITING VOLUNTEERS AND DONATIONS. THIS \$2,600,000 PROJECT WILL BE DEDICATED IN THE FALL OF 1998. MAYOR HOLLISTER REPORTED VISITING THE VIEWNAM WALL IN WASHINGTON. HE WISHED THE MEMORIAL COMMITTEE GOOD LUCK AND URGED THEM TO 'KEEP UP THE GOOD WORK AND GET IT DONE.'

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF SLU-06-97; 1700 BLOCK OF W. JOLLY RD., SPECIAL LAND USE PETITION FILED BY MICHAEL MARKEY FOR NEW COMMUNITY TABERNACLE CHURCH TO ALLOW FOR THE CONSTRUCTION OF A 4,800 SQUARE FOOT CHURCH

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF SLU-08-97; 800 BLOCK OF E. JOLLY RD., SOUTH SIDE, SPECIAL LAND USE PETITION FILED BY THE COMMUNITY MENTAL HEALTH BOARD OF CLINTON, EATON AND INGHAM COUNTIES TO ALLOW FOR CONSTRUCTION OF A 73,000 SQUARE FOOT OFFICE BUILDING TO BE USED FOR A COMMUNITY MENTAL HEALTH SERVICES CENTER AND 16 BED RESIDENTIAL CARE FACILITY

MICHAEL STURLEY OF 1144 WILLOWBROOK, THE DEPUTY DIRECTOR OF COMMUNITY MENTAL HEALTH SAID THAT THEY PROVIDE MENTAL HEALTH SERVICES TO THE TRI-COUNTY AREA. THEY ARE PROPOSING CONSTRUCTION OF A NEW OFFICE BUILDING TO REPLACE THE FACILITY THEY CURRENTLY OCCUPY AT THE INGHAM MEDICAL CENTER. THE COUNTY IS COOPERATING WITH THEM ON THIS PROJECT BY GIVING THEM THE LAND AND HELPING THEM TO FUND THE CONSTRUCTION. THIS WILL BE A COMPREHENSIVE MENTAL HEALTH FACILITY WHICH WILL INCLUDE CASE MANAGEMENT, PATIENT OUT-REACH AND OTHER PATIENT SERVICES, AS WELL AS RESIDENCY FOR A SMALL NUMBER OF PATIENTS.

DAN MOONEY, NO ADDRESS GIVEN, PRESENTED THE SITE PLAN FOR THE PROPOSED COMMUNITY MENTAL HEALTH DEVELOPMENT. HIS PLAN, DEPICTING THE ELEVATIONS OF THE BUILDING, DEMONSTRATES THAT THE PROJECT, THOUGH BEING IN ACTUALITY A THREE STORY FACILITY, WILL APPEAR TO BE ONLY TWO STORIES, THEREFORE MAKING IT MORE SITE FRIENDLY WITH SURROUNDING USES. IT IS A 73,000 SQUARE FOOT BUILDING WITH A PARKING LOT ON THE SOUTH SIDE THAT WILL ACCOMODATE 285 CARS FOR STAFF AND 46 CARS FOR VISITORS.

COUNCILMEMBER BEAL ASKED THE REPRESENTATIVES OF COMMUNITY MENTAL HEALTH WHO WOULD BE STAYING IN THE BUILDING.

MR. STURLEY ANSWERED THAT THERE ARE THREE TYPES OF MENTAL HEALTH PATIENTS; LONG TERM, SUBSTANCE ABUSE, AND PATIENTS WHO RECEIVE TREATMENT ON A VOLUNTARY BASIS, WHICH REQUIRES APPROXIMATELY AN 8 TO 30 DAY STAY IN THE FACILITY.

COUNCILMEMBER BAUER NOTED THAT THE CURRENT FACILITY HAS BEEN LOCATED WITHIN 100 FEET OF HER OFFICE BUILDING AT MICHIGAN CAPITAL MEDICAL CENTER SINCE IT'S INCEPTION, AND THERE HAVE NEVER BEEN ANY PROBLEMS WITH THEM.

COUNCILMEMBER ALLEN NOTED THAT THE JOLLY CEDAR AREA HAS ONE OF THE HIGHEST TRAFFIC VOLUMES IN THE CITY. THEY NEED A CONTINGENCY TO DEAL WITH TRAFFIC OVERLOAD THAT WOULD BE CAUSED BY THEIR FACILITY.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. IN CONSIDERATION OF SLU-10-97; 5304 WISE RD., SPECIAL LAND USE PETITION FILED BY MARSHALL HUDSON, JR. FOR THE LANSING CHURCH OF GOD IN CHRIST TO ALLOW FOR CONSTRUCTION OF AN ADDITION FOR CLASSROOMS AND OFFICES

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

CHRISTINE TIMMON OF 335 E. ST. JOSEPH COMMENTED REGARDING THE TRANSFER OF FUNDS FOR PAYMENT TO THE JOSEPH YOUNG INVISTIGATIVE AGENCY FOR PAYMENT OF THE



INVESTIGATION INTO THE MELLING FORGE TEAR GAS INCIDENT. IT IS UNFORTUNATE THAT THE STRIKERS AT MELLING REFUSED TO LISTEN TO THE POLICE THAT EVENING, WHEN THEY WERE ASKED TO DISPERSE. SHE HAS NOT SEEN ANY ARTICLES IN THE NEWSPAPER STATING THAT THE RESULTS OF THE INVESTIGATION EXONERATED THE POLICE DEPARTMENT. PEOPLE IN LANSING NEED TO RETURN TO A MORE LAW ABIDING ATTITUDE SO THAT THE TAX PAYERS DO NOT HAVE TO PAY FOR THESE TYPES OF INVESTIGATIONS.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE APPRECIATES THE INVESTIGATION DONE ON THE MELLING FORGE TEAR GAS INCIDENT. THE REPORT FROM THE BOARD OF POLICE COMMISSIONERS STATED THAT THE LAW WAS BROKEN, HOWEVER NO ONE WAS ARRESTED. USUALLY WHEN SOMEONE BREAKS THE LAW, THE POLICE ARREST THEM. THIS WAS MONEY WELL SPENT.

GORDON WILSON OF 4700 BRISTOL SAID THAT HE, TOO, FEELS THAT THE MONEY FOR THE MELLING FORGE INVESTIGATION WAS WELL SPENT. HE COMMENDED COUNCILMEMBERS FOR ORDERING THIS INVESTIGATION. POLICE BRUTALITY AND MISCONDUCT ARE THE SECOND BIGGEST PROBLEMS FACING THIS COUNTRY. THAT IS WHY LANSING NEEDS A CITIZENS REVIEW BOARD AND A NEW HUMAN RELATIONS DIRECTOR.

COUNCILMEMBER ALLEN REQUESTED A FINANCIAL IMPACT STUDY ON THE IMPLEMENTATION OF THE CITIZENS REVIEW BOARD.

### LEGISLATIVE MATTERS RESOLUTIONS

#### RESOLUTION #589

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED:

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$144,183.23	1994 SEWER BONDS- CONTINGENCY 594-453670- 992000-23800	
\$5,816.77	WESTSIDE PHASE II ENGINEERING 594-453670- 743700-23801	
\$47,095.40	WESTSIDE PHASE II CONSTRUCTION 594- 453670-973000-23801	
\$150,000		WESTSIDE III ENGINEERING 594-453670-743700- 23800
\$47,095.40		WESTSIDE PHASE III CONSTRUCTION 594- 453670-973000-23800

(FUNDS TO PROCEED WITH PHASE III DESIGN OF WESTSIDE INTERCEPTOR REHABILITATION PROJECT AS APPROVED AS PART OF 1994 SEWER BOND. PHASE II COSTS LESS THAN ANTICIPATED. THE WESTSIDE INTERCEPTOR SERVICES THE SOUTHWEST QUADRANT OF THE CITY, TRANSPORTING SANITARY SEWAGE NORTH TO THE WASTEWATER TREATMENT PLANT.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,250	ESTIMATED REVENUES- GENERAL FUND 101-0- 170001-0	POLICE DEPT.-CONTROL 101-343201-992200-0
\$5,250	POLICE DEPT.-CONTROL 101-343201-992200-0	ADMIN.-PROFESSIONAL SERVICES 101-343201- 743000-0

(STATE OF MICHIGAN REIMBURSEMENT FOR POLICE ACADEMY EXPENSES. REVENUE DETAIL ACCOUNT 101-0575100-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$2,500	ESTIMATED REVENUES- GENERAL FUND 101-0- 170001-0	POLICE DEPT.-CONTROL 101-343201-741895-0
\$2,500	POLICE DEPT.-CONTROL 101-343201-741895-0	DONATIONS-CUTT 101- 343201-741895-0

(DONATION FOR CUTT PROGRAM FROM MICHIGAN CAPITAL MEDICAL CENTER. REVENUE DETAIL ACCOUNT 101-0-675387.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$44,856	ESTIMATED REVENUE-ACT 51 (M) 202-0-170001-0	SPECIAL AUTHORIZATIONS 202-453633-746703-0

(FUNDING FROM MDOT TRUNKLINE AUTHORIZATIONS FOR SIGNAL SYSTEM MODERNIZATION AT LARCH/LAKE LANSING, AND LARCH/THOMAS. MATCH OF \$3,316 FROM 202-453636-741000-0. REVENUE DETAIL ACCOUNT 202-0-17900-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,000	HOME-SALARIES 263- 932669-702000-09500	EQUIPMENT 263-932669- 977000-09500

(PURCHASE OF 4 NEW COMPUTERS FOR THE DEVELOPMENT OFFICE FROM RESIDUAL SALARIES. FUNDING IS FOR CPU UNITS ONLY AND IS NECESSITATED BY CHANGES TO THE SOFTWARE USED FOR SPECIFICATION WRITING, NECESSITATING MACHINES WITH MORE CAPACITY)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$4,175	FUND BALANCE-STADIUM FUND 234-0-390001-0	OPERATING TRANSFERS- LEPFA 234-966000- 991570-0

(50% SHARE OF OLDSMOBILE PARK SUITE CORRIDOR AND SUITE WINDOW TINTING FROM STADIUM CAPITAL RESERVE. PROJECT TO INCREASE COMFORT AND REDUCE UTILITY COSTS. BALANCE OF COSTS TO BE PAID BY LANSING LUGNUTS.)



AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$5,800.13	GENERAL ADMIN-GENERAL CONTINGENCY 101-173901- 992001-0	GENERAL ADMINISTRATION- CONTROL 101-173901- 992200-0
\$5,800.13	GENERAL ADMINISTRATION- CONTROL 101-173901- 992200-0	CITY COUNCIL-CONTROL 101- 112101-992200-0
\$5,800	CITY COUNCIL-CONTROL 101- 112101-992200-0	MELLING FORGE INVESTIGATION 101-112101- 743665-0

(ADDITIONAL COSTS INCURRED IN MELLING FORGE INVESTIGATION.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #590**  
BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR A CITY PERMIT, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR A CITY PERMIT FOR:

FIREWORKS DISPLAY PERMIT:

LARRY HOLLEY, OCTOBER 27, 1997 OLDSMOBILE PARK

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #591**  
BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED A REQUEST FROM THE MOVIMIENTO ESTUDIANTIL XICANO DE AZTIAN, CULTURAS DE LAS RAZAS UNIDAS MEXA, CRU TO USE THE CITY OF LANSING SHOWMOBILE FOR THIS YEAR'S DIA DE LOS MUERTOS STREET FESTIVAL ON SATURDAY, NOVEMBER 1, 1997; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE REQUEST FROM THE MEXA, CRU TO USE THE CITY OF LANSING SHOWMOBILE FOR THIS YEAR'S DIA DE LOS MUERTOS STREET FESTIVAL ON SATURDAY, NOVEMBER 1, 1997.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

## ORDINANCES FOR INTRODUCTION

### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-21-97, 5030 S. CEDAR ST., "J" PARKING TO "F" COMMERCIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

**RESOLUTION #592**  
BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, NOVEMBER 17, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-21-97, 5030 S. CEDAR ST., "J" PARKING TO "F" COMMERCIAL DISTRICT

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

## ORDINANCES FOR PASSAGE

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY RELATED MATTERS

WILLIAM HUBBELL OF 3916 WEDGEWOOD SAID THAT HE ATTENDED THE DEDICATION OF THE NEW CATA TRANSPORTATION CENTER. THERE WERE NOT ANY COUNCILMEMBERS PRESENT AT THE EVENT. HE COMMENDED THE EMPLOYEES OF THE BOARD OF WATER & LIGHT WHO ARE DOING A GREAT JOB OF CATCHING UP WITH THE WEATHER. HE URGED RESIDENTS TO GET OUT AND VOTE NEXT WEEK.

FRANK CURTIS "X" CRITICIZED ACTING CHIEF OF POLICE PAUL TESZLEWICZ AND SAID THAT CITIZENS NEED CHECKS AND BALANCES IN THE POLICE DEPARTMENT.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT SHE KNOWS THAT MANY OF THE CANDIDATES IN NEXT TUESDAY'S ELECTION DO NOT SUPPORT THE CITIZENS REVIEW BOARD PROPOSAL, WHICH COULD CAUSE MORE TROUBLE AND CONFUSION FOR LANSING THAN WE ALREADY HAVE. EVERYONE SHOULD JUST DO THE RIGHT THING, RATHER THAN BASHING THE POLICE, WE SHOULD OBEY THE LAW AND LEAVE THE POLICE ALONE.



WILLY WILLIAMS OF 505 W. LENAWEE ASKED COUNCILMEMBER JONES IF HE FINISHED READING THE NEWSPAPER, AND IS READY TO PAY ATTENTION TO WHAT IS BEING SAID BY THE PUBLIC. HE SAID THAT THE TRUTH OF THE MELLING FORGE INCIDENT IS THAT STRIKERS BLOCKADED PEOPLE INSIDE THE SHOP AND WOULD NOT LET THEM OUT. HE REMINDED EVERYONE THAT THE ELECTION IS NEXT WEEK. HE URGED THE SILENT MAJORITY TO GET OUT AND VOTE. IF EVERYONE WHO GOES OUT TO VOTE TAKES JUST ONE FRIEND, THEY CAN DEFEAT THE SQUEAKY WHEELS. HE STATED HIS OPPOSITION TO THE CITIZENS REVIEW BOARD PROPOSAL. REVEREND STONE COULD BE A CITIZENS REVIEW BOARD ALL BY HIMSELF. HE URGED CHURCHES TO KEEP THEIR DOORS OPEN TO PROVIDE SHELTER TO HOMELESS PERSONS BECAUSE OF OUR UNSEASONABLY BAD WEATHER. HE WISHED A GOOD EVENING TO HIS GRANDDAUGHTER, ALEXIS.

VIRGINIA BOZEK OF 419 CLARENDON SAID THAT HER SON, GARY, WAS SHOT AND KILLED BY MEMBERS OF THE LANSING POLICE DEPARTMENT START TEAM ON OCTOBER 23, 1996. HE WAS ON HIS OWN FARM IN MASON AT THE TIME OF THE KILLING. THERE SHOULD HAVE BEEN AN IMPARTIAL REVIEW OF THE CIRCUMSTANCES SURROUNDING HIS DEATH, BUT THERE NEVER WAS. SHE HAS BEEN TOLD BY THE BOARD OF POLICE COMMISSIONERS THAT THIS IS BECAUSE SHE DID NOT FILE A FORMAL COMPLAINT. SHE REFUTED THIS STATEMENT. SHE FILED A FORMAL COMPLAINT IN NOVEMBER OF LAST YEAR. ANOTHER FACTOR IN THEIR DECISION NOT TO REVIEW THE CASE WAS THE FACT THAT GARY LIVED OUTSIDE OF LANSING, WHICH IS TRUE, BUT, HE WAS KILLED BY A LANSING POLICE OFFICER AND A REVIEW SHOULD HAVE BEEN DONE. SHE QUESTIONS WHY THE POLICE WOULD NOT ALLOW HER SON TO COMMUNICATE WITH HIS FATHER OR SISTER ON THE NIGHT OF HIS DEATH. HE HAD ASKED REPEATEDLY TO TALK TO HIS SISTER, LIKEWISE, BOTH THE FATHER AND SISTER ASKED REPEATEDLY TO BE ALLOWED TO COMMUNICATE WITH HIM. WHY DIDN'T THE POLICE PURSUE OTHER RESOURCES? THEY COULD HAVE USED LESS VIOLENT MEASURES. OTHER COMMUNITIES USE NON-FATAL MEANS OF DEALING WITH SITUATIONS LIKE THIS. SHE STATED HER SUPPORT OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.

GORDON WILSON OF 4700 BRISTOL STATED HIS SUPPORT OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL, AS WELL AS HIS ENDORSEMENTS OF CANDIDATES FOR CITY OF LANSING ELECTIVE OFFICES. HE CRITICIZED MAYOR HOLLISTER FOR NOT STAYING THROUGHOUT THE MEETING TO LISTEN TO THE COMMENTS OF THE CITIZENRY.

MARJORIE GILLCREST HESSE OF 1206 PARK SAID THAT THE STATE JOURNAL DOES NOT TREAT MAYOR HOLLISTER THE SAME WAY THAT THEY TREAT OTHER ELECTED OFFICIALS. THEY APPEAR TO HAVE ONE SET OF RULES FOR SOME PEOPLE AND ANOTHER SET FOR OTHERS.

ALEXANDER BOLT OF 1230 REO RD. CRITICIZED MAYOR HOLLISTER FOR THE FINANCIAL CONDITION OF THE CITY, AS WELL AS THE PHYSICAL CONDITION OF THE INFRASTRUCTURE. HE ACCUSED THE MAYOR OF LACKING SUBSTANCE.

RUTH HALLMAN OF 1014 W. LAPEER ASKED HOW RESIDENTS CAN CONSIDER ADOPTING A PROPOSAL THAT WOULD GIVE ANY GROUP SUCH UNANSWERABLE POWER OVER

THE CITY AT ANY TIME. THE CITIZENS REVIEW BOARD ARTICLES ARE NOT THE SAME AS ARTICLES IN OTHER CITIES. THEY GIVE EXCLUSIVE RIGHTS TO RECEIVE THE COMPLAINTS AGAINST THE POLICE DEPARTMENT. IT ALSO GIVES THEM EXCLUSIVE RIGHTS TO DISCIPLINE AND THE SAME RIGHTS TO HIRE LEGAL COUNSEL AND INVESTIGATIVE COUNSEL. IT GIVES THEM SUBPOENA POWER. THESE ARTICLES ARE CONTRARY TO THE STATE CONSTITUTION. THEY WOULD ALLOW THE BOARD TO REFUSE TO RELEASE INFORMATION ABOUT POLICE OFFICERS INVOLVED IN INVESTIGATIONS. THIS PROPOSAL COULD BRING THIS CITY TO IT'S KNEES.

CAROL WOOD OF 1018 W. LAPEER SAID THAT SHE BROUGHT ALTERNATIVE RECOMMENDATIONS TO CITY COUNCIL REGARDING THE CITIZENS REVIEW BOARD. THE CRITICISMS OF THE POLICE DEPARTMENT ARE SOMEWHAT UNFAIR. EVERY GROUP OF PROFESSIONALS IS JUDGED BY ITS' PEERS. THERE ARE MANY PROBLEMS WITH THE CITIZENS REVIEW BOARD PROPOSAL, PARTICULARLY THE DECLARATORY JUDGEMENT SECTION. THIS COULD COST THE CITY MILLIONS OF DOLLARS IN THE COURT ROOM. DO THE RESIDENTS OF THE CITY REALLY WANT A CITIZENS BOARD TO BE IN A POSITION OF DETERMINING LAW SUITS AGAINST THE CITY? SHE STATED HER OPPOSITION TO THIS PROPOSAL.

DARNELL OLDHAM OF 3815 BERWICK ACCUSED POLICE DEPARTMENT PERSONNEL OF RUNNING AN UNREGISTERED POLITICAL ACTION COMMITTEE.

ALBERTA JORDAN, NO ADDRESS GIVEN, SAID THAT SHE SUBMITTED A COMPLAINT TO THE MAYOR AGAINST ONE OF HIS AIDS AND TWO POLICE OFFICERS. SHE DEMANDED TO BE TOLD HOW THE MAYOR WILL HANDLE HER COMPLAINTS. SHE DISPLAYED A REPORT THAT SHE SAID PROVES THAT THE GUN USED IN THE CASE HER SON WAS CONVICTED OF WAS STOLEN FROM AN LPD OFFICER. HOW, SHE WANTS TO KNOW, COULD THIS HAVE HAPPENED.

WILLIAM HODGE OF 1246 DAKIN SAID THAT HE IS OUT OF POWER AT HIS HOUSE. HE ALSO SAID THAT HE NAME DID NOT APPEAR IN THE STATE JOURNAL AS A WRITE-IN-CANDIDATE FOR CITY COUNCIL. HE SUGGESTED THAT ANYONE INTERESTED IN HELPING HIM WITH HIS WRITE-IN CAMPAIGN CALL HIM AT 485-8125. HE HAS BECOME A CHAMPION OF THE PEOPLE THAT ARE OUT THERE ON THE STREET. HE IS TIRED OF THE PROTOCOL THAT PEOPLE HAVE TO FOLLOW. PEOPLE ARE ASKING FOR INFORMATION ABOUT HOW THEIR ELECTED OFFICIALS ARE GOING TO REPRESENT THEM.

RITA BUNTON OF 3311 BRISBANE DR. STATED HER ENDORSEMENT OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THIS BOARD WILL NOT COST THE CITY ANY MORE MONEY THAN MAYOR HOLLISTER'S PROPOSAL. THE BOARD OF POLICE COMMISSIONERS CANNOT BE FAIR AND OBJECTIVE WITH CITIZEN COMPLAINTS, BECAUSE THEIR TIES TO THE POLICE DEPARTMENT ARE TOO CLOSE.

PETER BUNTON OF 3311 BRISBANE SAID THAT HE HAS NO WATER AND NO POWER. HE WOULD LIKE TO KNOW WHAT IS GOING ON WITH THE POWER SITUATION? HE SAID THAT HE BOUGHT A VIDEO FROM A STORE IN THE MALL. THE VIDEO DOES NOT WORK. WHAT CAN COUNCIL DO FOR HIM ABOUT THIS SITUATION? HE STATED HIS SUPPORT FOR THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.



LLOYD TEETS OF 116 E. ELM ST. SAID THAT THERE IS AN ELEMENT IN THE LANSING COMMUNITY THAT WANTS TO DEFEAT THE CITIZENS REVIEW BOARD PROPOSAL OUT OF FEAR. NO ONE HAS EXAMINED THE PROPOSAL THAT THE BOARD OF POLICE COMMISSIONERS ADOPTED ON SEPTEMBER 15TH URGING CITIZENS TO FILE LEGITIMATE COMPLAINTS OF ALLEGED POLICE MISCONDUCT. HE URGED CITIZENS NOT TO VOTE FOR A RUBBER STAMP COUNCIL.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. ACCUSED MAYOR HOLLISTER OF LYING ABOUT THE MELLING FORGING TEAR GAS INCIDENT WHEN HE SPEAKS AT CANDIDATE FORUMS.

REVEREND LESTER D. STONE SAID THAT THE POLICE AND THE ADMINISTRATION ARE USING SCARE TACTICS. THEY ARE STOOPING TO VERY LOW TACTICS TO INFLUENCE PEOPLE AGAINST THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THEY ARE TELLING CITIZENS THAT POLICE OFFICERS WILL LOSE THEIR JOBS, THAT TAXES WILL GO UP, THAT UNION CONTRACTS WILL BE VIOLATED, AND LAWSUITS WILL BE FILED. HE APPEALED TO THE POLICE AND THE POLICE BOARD TO TELL THE TRUTH; THAT THE BOARD HAS NOT DONE THEIR JOB.

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING STATED HIS ENDORSEMENT OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. DO NOT VOTE FOR THIS PROPOSAL FOR HIM, NOR FOR HIS SON. VOTE FOR IT SO THAT THIS DOES NOT HAPPEN TO ANOTHER FAMILY. HE SPOKE OF ATTENDING BOARD OF POLICE COMMISSION MEETINGS AND ASKING WHY THEY DID NOT RESPOND TO HIS REPEATED REQUESTS TO BE ALLOWED TO COMMUNICATE WITH HIS SON ON THE NIGHT OF HIS DEATH, AND WHY THEY DID NOT USE SOMETHING OTHER THAN LETHAL WEAPONS TO SUBDUCE HIM.

### **CITY OFFICER & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR APPROVAL

FIREWORKS DISPLAY PERMIT; LARRY HOLLEY FOR OCTOBER 27, 1997 AT OLDSMOBILE PARK

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. LETTER FROM THE CITY ATTORNEY RE: TENMER MEADOWS MTT SETTLEMENT  
RECEIVED AND PLACED ON FILE

3. LETTERS FROM THE MAYOR RE:

A. LETTER FROM THE NORTH PRECINCT ADVISORY BOARD IN OPPOSITION TO THE CITIZENS REVIEW BOARD BALLOT PROPOSAL

RECEIVED AND PLACED ON FILE

B. LETTER OF APPRECIATION FROM JODI OWENS TO LPD OFFICER BRIAN CURTIS

RECEIVED AND PLACED ON FILE

C. TRANSFER OF FUNDS; PLANNING DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. LETTER OF APPRECIATION FROM BOB & CATHY CANTINE TO LPD OFFICER JOHN A. PRINCE

RECEIVED AND PLACED ON FILE

E. TRANSFER OF FUNDS; PLANNING DEPT., LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; AN ORDINANCE PROVIDING DISCOUNTED PARKING RATES FOR DOWNTOWN SHOPPING IN THE FIRST, SECOND AND THIRD BLOCKS OF WASHINGTON SQUARE MALL BETWEEN 11:00 A.M. AND 2:00 P.M.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

G. SUSPENSION ITEM FROM COUNCILMEMBER JONES; A RESOLUTION AUTHORIZING GRANT APPLICATION FOR LAPTOP COMPUTERS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

### **COMMUNICATIONS & PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. SLU-11-97; 1223 TURNER ST., PETITION FOR SPECIAL LAND USE FILED BY DAVE FERGUSON TO ALLOW FOR CONSTRUCTION OF A NEW STAIR TOWER, MAIN ENTRY AND ENHANCED PARKING FACILITIES ONTO THEIR EXISTING STRUCTURE

REFERRED TO THE MAYOR AND THE PLANNING BOARD

2. CORRECTIONS TO APPLICATION FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FILED BY ATMOSPHERE ANNEALING, INC. OF 1801 BASSETT ST.

REFERRED TO THE MAYOR AND THE ECONOMIC DEVELOPMENT CORPORATION BOARD

3. LETTER FROM MEDIA ONE CABLE TELEVISION CO. REGARDING THE ADDITION OF CHANNEL WILV TO THEIR LANSING REBUILD CHANNEL LINE-UP

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

4. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION REGARDING TRAINING AND CERTIFICATION FOR LOCAL AGENCY TECHNICIANS ON AGGREGATES, BITUMINOUS, AND PORTLAND CEMENT CONCRETE

RECEIVED AND PLACED ON FILE



5. NOTICE FROM THE STATE OF MICHIGAN PUBLIC SERVICE COMMISSION OF A HEARING FOR THE CUSTOMERS OF CONSUMERS ENERGY CO. CASE #U-11527 ON NOVEMBER 5, 1997

REFERRED TO THE MAYOR

6. LETTER FROM ATTORNEYS SUBMITTING NOTICE OF INTENT TO ENTER INTO A LAWSUIT AGAINST THE CITY OF LANSING AND THE LANSING FIRE DEPARTMENT

REFERRED TO THE CITY ATTORNEY

7. LETTER FROM ATTORNEYS ON BEHALF OF SAMUEL HOPKINS REGARDING THEIR REQUESTS FOR INDEMNIFICATION, AND THE ONGOING INVESTIGATION INTO THIS MATTER

REFERRED TO THE CITY ATTORNEY

8. LETTER FROM WILLY WILLIAMS OF 505 W. LENAWEE REGARDING DISORDERLY CONDUCT AT CITY COUNCIL MEETINGS

RECEIVED AND PLACED ON FILE

9. LETTERS FROM CHRISTINE TIMMON RE: A POTENTIAL INCREASE IN THE COST OF CITY SERVICES AS A RESULT OF THE IMPLEMENTATION OF A CITIZENS REVIEW BOARD; OPPOSING THE IMPLEMENTATION OF A CITIZENS REVIEW BOARD

RECEIVED AND PLACED ON FILE

10. LETTERS FROM RESIDENTS IN THE COLONIAL VILLAGE/VICTOR WOODS/LINDELL DROP FORGE AREA OPPOSING DEVELOPMENT OF THE VICTOR WOODS GREEN SPACE FROM: WAYNE & EMMA MANSON 2713 FAIRFAX, MAYANN HARPER 2500 FOREST AVE. JEFFREY AND JUANITA KENNEDY 1626 HOLLY WAY

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

11. STORMWATER APPEALS; RICHARD AND PHYLLIS MILLARD 2419 GREENBELT DR. & 2408 GREENBELT DR., LANSING SCHOOL DISTRICT, DALE GOODRICH 515 S. CHESTNUT, 524 S. CHESTNUT AND 526 S. CHESTNUT

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

12. SUSPENSION ITEM FROM COUNCILMEMBER JONES; A LETTER FROM JIHAN AL-MIN OF 3238 N. WAVERLY REQUESTING INSTALLATION OF A PEDESTRIAN TRAFFIC SIGNAL

REFERRED TO THE MAYOR, THE TRAFFIC BOARD AND THE COMMITTEE ON PUBLIC SAFETY

### **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER BENAVIDES

TO EXCUSE COUNCILMEMBERS LILLY AND NOVAK FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER JONES SAID THAT THE LINDELL DROP FORGE SIGHT ON MLK BLVD. LOOKS WORSE TODAY THAN IT DID A YEAR AGO. THERE IS MORE JUNK EQUIPMENT SITTING AROUND OUTSIDE IT NOW THAN THERE EVER WAS IN THE PAST. WE SHOULD NOT REWARD SOMEONE WHO CREATES THIS KIND OF MESS BY LINING HIS POCKETS. HE WELCOMED HIS WIFE, DOROTHY, BACK HOME FROM VACATION.

COUNCILMEMBER LEEMAN SAID THAT COUNCIL AND THE ADMINISTRATION ARE WORKING ON THE INFRASTRUCTURE. THEY ARE PUTTING \$7,000,000 PER YEAR TOWARD ROAD REPAIR AND SLOWLY, BUT SURELY WILL GET THEM DONE. HE CONFIRMED THAT THE CATA TRANSPORTATION CENTER (CTC) OPEN HOUSE WAS LAST WEEKEND. THE CENTER SHOULD BE OPEN AND RUNNING WITHIN 2 WEEKS. HE WISHED EVERYONE A SAFE HALLOWEEN.

COUNCILMEMBER ALLEN NOTED THAT THERE MAY BE SEVERAL PLACES CAUSING THE SAME TYPE OF PROBLEMS FOR NEIGHBORHOODS AS THE LINDELL FORGE SITE IS, THOUGH POSSIBLY NOT TO THE MAGNITUDE THAT LINDELL HAS REACHED. WHAT THE CITY NEEDS IS AN APPEARANCE ORDINANCE TO ALLOW US TO DEAL WITH THESE TYPES OF BUSINESSES. SHE URGED EVERYONE TO VISIT THE OLDSMOBILE PARK "FRIGHT NIGHT"... THIS IS QUITE AN ATTRACTION.

COUNCILMEMBER BAUER THANKED ALL OF THE NEIGHBORHOOD ORGANIZATIONS THAT PARTICIPATED IN THE LANSING NEIGHBORHOOD COUNCIL MEETING LAST WEEK. THESE GROUPS DO SO MUCH HARD WORK THROUGHOUT THE CITY ALL YEAR LONG AND DESERVE OUR COLLECTIVE THANKS. SHE REPORTED ATTENDING THE CTC OPEN HOUSE ON FRIDAY NIGHT. SHE URGED EVERYONE TO GO SEE THIS BEAUTIFUL BUILDING. WE ARE VERY FORTUNATE TO HAVE THIS FACILITY IN OUR CITY, PARTICULARLY THOSE OF US WHO USE THE PUBLIC TRANSPORTATION SYSTEM. SHE REPORTED ON THE MICHIGAN WOMEN'S HALL OF FAME AND HISTORICAL CENTER FUND RAISER TO BE HELD THIS SATURDAY NIGHT AT THE SHERATON. THIS IS A STATE WIDE TOURIST ATTRACTION. THERE ARE STILL TICKETS AVAILABLE, PLEASE LET HER KNOW IF YOU WANT TO ATTEND. SHE IS A MEMBER OF THE COMMITTEE RESPONSIBLE FOR MAKING RECOMMENDATIONS FOR THE USE OF THE ROSA BUILDING. THIS BUILDING WAS FORMERLY THE DOWNTOWN BRANCH OF THE PUBLIC LIBRARY. ANYONE WITH IDEAS ON THIS SUBJECT IS ENCOURAGED TO GIVE HER A CALL. THIS COMMITTEE WILL BE WORKING VERY QUICKLY TO GET RECOMMENDATIONS BACK OUT TO THE DISTRICT LIBRARY BOARD BY THE END OF DECEMBER. SHE WISHED "HAPPY BIRTHDAY" TO HER MOTHER WHOSE BIRTHDAY IS TOMORROW.

COUNCILMEMBER BEAL ASKED THE CITY ATTORNEY TO ANSWER THE QUESTIONS RAISED BY GORDON WILSON WITH REGARD TO THE CAMPAIGN FINANCE ACT.

MR. SMIERTKA REPLIED THAT THE PARTICULAR AREA OF THE CAMPAIGN FINANCE ACT REFERENCED BY MR. WILSON IS RISKY BUSINESS; BASICALLY, SECTION 57 SAYS THAT A PUBLIC BODY CANNOT MAKE A CONTRIBUTION OR



EXPENDITURE, EXCEPT FOR CERTAIN TYPES, IT CANNOT USE THE RESOURCES OF THE CITY IN SUPPORT OF OR DEFEAT OF A BALLOT PROPOSAL, OR TO INFLUENCE THE ELECTION OF A CANDIDATE. IF SOMEONE USES THIS MEETING FOR THAT PURPOSE, THEY ARE IN VIOLATION OF THE ACT. SOME EXCEPTIONS APPLY. THIS RULE DOES NOT APPLY TO AN EXPRESSION OF VIEW BY ELECTED OR APPOINTED OFFICIALS WITH POLICY MAKING RESPONSIBILITIES. THE SECOND APPLICABLE STANDARD WOULD BE THE USE OF A PUBLIC FACILITY, MEANING THE USE OF THE COUNCIL CHAMBERS AND CHANNEL 12/28. THIS COULD ONLY BE ALLOWED IF THERE WAS EQUAL OPPORTUNITIES FOR ALL SIDES INVOLVED TO EQUAL USE OF THE FACILITY AT THE SAME TIME. THIS SECTION IS INTENDED TO PREVENT THOSE WHO CONTROL PUBLIC RESOURCES FROM USING THOSE RESOURCES TO INFLUENCE AN ELECTION. SINCE THIS OPINION WAS PUBLISHED BY THE SECRETARY OF STATE THE ACT HAS LOOSENEED UP. HOWEVER, THERE HAS BEEN NO INTERPRETATION OF WHAT THE NEW ACT MEANS. WHICH IS WHY HE STATED EARLIER THAT THIS AREA OF THE ACT IS RISKY.

COUNCILMEMBER BEAL STATED THAT IT IS HER INTERPRETATION THAT SHE WAS NOT IN VIOLATION OF CAMPAIGN FINANCE LAW FOR SIMPLY ASKING A QUESTION.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER SAID THAT MR. RUBLEY HAS ASKED HIM TO ANNOUNCE THAT, IN SOME CASES, TREE REMOVAL FROM PRIVATE PROPERTY CAN BE PAID FOR BY HOME OWNERS INSURANCE. HE URGED RESIDENTS TO CHECK WITH THEIR INSURANCE AGENTS TO DETERMINE IF THIS IS PART OF THEIR COVERAGE.

HE THANKED AND CONGRATULATED ALL OF THE RESIDENTS WHO ARE HELPING EACH OTHER OUT. WHEN HE WAS OUT AT 6:00 A.M. THIS MORNING TRYING TO MOVE THE TREES OUT OF HIS DRIVEWAY, HIS NEIGHBORS WERE PITCHING IN TO HELP EACH OTHER CLEAR THEIR DRIVES SO THEY COULD GET OUT TO WORK. HE COMMENDED NANCY FREEMAN KLCO, A CLERK AT CENTRAL GARAGE WHO TAKES CARE OF THE ADMINISTRATIVE FLEET, THE POLICE VEHICLES AND THE FIRE VEHICLES. SHE IS ONE OF THE MANY UNSUNG HEROES OF CITY HALL WHO DOES NOT USUALLY GET SPOKEN ABOUT.

**ADJOURNED 9:40 P.M.**  
**MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF NOVEMBER 3, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF OCTOBER 20, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER NOVAK

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER NOVAK; INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 1442, THE SIGN CODE, SECTIONS 1442.22 REGARDING BILLBOARDS, AND SETTING A PUBLIC HEARING FOR NOVEMBER 24, 1997
2. FROM COUNCILMEMBER LILLY; A RESOLUTION APPROVING TRANSFER OF FUNDS FOR THE HISTORIC DISTRICT STUDY
3. FROM COUNCILMEMBER LEEMAN; A REQUEST THAT THE RULES BE SUSPENDED TO ALLOW FOR THE ADDITION OF A SPECIAL CEREMONY OF TRIBUTE TO JOHN STORLLE, BOARD OF WATER & LIGHT COMMISSIONER
4. FROM COUNCILMEMBER BAUER; A RESOLUTION APPROVING THE LEASE AGREEMENT FOR THE SOUTH SIDE LIBRARY
5. FROM COUNCILMEMBER BAUER; A RESOLUTION APPROVING TRANSFER OF FUNDS FOR THE OPERATION OF THE SOUTH SIDE LIBRARY FOR THEIR FIRST SIX MONTHS

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES INTRODUCED R. ERIC REICKEL, DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT AND INVITED HIM TO EXPLAIN THE CITY'S TREE & TREE LIMB REMOVAL SCHEDULE.

MR. REICKEL REPORTED THAT ALL OF THE DANGEROUS SITUATIONS HAVE NOW BEEN TAKEN CARE OF, AS WELL AS ALL RIGHT OF WAY SITUATIONS AND ALL CITY STREETS ARE TRAVERSABLE. AT THIS TIME, THEY ARE WORKING ON CLEANING UP DOWNED LIMBS. HE URGED PEOPLE TO BE TOLERANT OF THE 9 CREWS THAT THE CITY HAS OUT WORKING ON THIS CLEANUP. PLEASE SLOW DOWN AND BE CAREFUL AROUND THEM. THIS STORM CAUSED THE WORST TREE DAMAGE IN THE HISTORY OF LANSING. CREWS ARE STARTING NORTH OF 496 AND MOVING SOUTH, GOING WEST TO EAST. HE URGED ANYONE WITH A TREE SITUATION THAT HAS CAUSED A SIGHT PROBLEM TO CALL 483-4206 AND THEY WILL BE MADE A PRIORITY. SENIOR CITIZENS WHO HAVE DIFFICULTY IN MOVING THREE LIMBS TO THE CURBS ARE URGED TO BE PATIENT. THE CREWS WILL GET TO THEM AFTER THE STREETS HAVE BEEN CLEARED. HE URGED PEOPLE TO MAKE NEAT PILES OF THEIR LIMBS, NOT TO CUT LARGER LIMBS INTO SMALLER PIECES, AND TO LEAVE THE LIMBS SO THAT THE CUT TRUNK FACES THE CURB. HE COMMENDED HIS STAFF, WHO HE SAID, HAS BEEN OUTSTANDING AND THANKED THE ADMINISTRATION AND CITY COUNCIL FOR THEIR SUPPORT. THE COOPERATIVE SPIRIT ON THIS PROJECT HAS BEEN WONDERFUL.

COUNCILMEMBER LILLY SAID THAT HE HAS SEEN A TREMENDOUS RESPONSE FROM THE CITIZENS SINCE THE EMERGENCY ORDER WENT OUT, PEOPLE ARE GETTING THEIR TREES AND LIMBS TO THE CURB AREA AND KEEPING THEM OFF OF THE SIDEWALKS. THIS HAS CREATED A SITUATION IN WHICH THERE ARE NOW A LOT OF BRANCHES EXTENDING OUT OVER THE CURB AND INTO THE STREETS. HE URGED PEOPLE TO BE CAUTIOUS ABOUT PARKING NEAR THESE BRANCHES, AS THE CREWS CANNOT GET TO THEM TO CLEAN THEM UP IF CARS ARE PARKED AROUND THEM.

COUNCILMEMBER JONES COMMENDED MR. REICKEL AND HIS CREWS FOR THEIR DEDICATION TO GETTING THE TREE DAMAGE IN THE CITY CLEANED UP.

COUNCILMEMBER BEAL SUGGESTED THAT THE CITY NEEDS TO BE ON A MORE EXPEDIENT TREE TRIMMING SCHEDULE, TO PREVENT THIS TYPE OF STORM DAMAGE IN THE FUTURE, TREE TRIMMING NEEDS TO BE MADE A PRIORITY.

MR. REICKEL DISAGREED. HE SAID THAT HE DOES NOT THINK THAT THE CITY COULD HAVE BEEN "STORM-PROOFED" TO THE POINT THAT THIS TREE DAMAGE WOULD NOT HAVE HAPPENED. WE COULD, HOWEVER, MAKE IMPROVEMENTS ON THE TREE TRIMMING SCHEDULE AS SUGGESTED BY COUNCILMEMBER BEAL, IF THERE WERE SOME ADDED EMPHASIS PLACED ON IT DURING THE BUDGET CYCLE.



COUNCILMEMBER LEEMAN SPOKE REGARDING A SITUATION IN WHICH ONE OF THE CITY COUNCIL CANDIDATES CLAIMED ENDORSEMENT BY HIM, BECAUSE OF A CAMPAIGN CONTRIBUTION HE MADE TO THEM. HE MAKES SMALL CONTRIBUTIONS TO ALL CANDIDATES, HE DOES NOT MAKE CANDIDATE ENDORSEMENTS.

CITY CLERK SLADE ANNOUNCED THAT THE POLLS WILL BE OPEN FOR TOMORROW'S ELECTION BEGINNING AT 7:00 A.M. AND WILL REMAIN OPEN UNTIL 8:00 P.M. ELECTION COVERAGE WILL BE CARRIED BY CHANNEL 28 IF YOU ARE STILL ON THE OLD CABLE SYSTEM, AND CHANNEL 12 IF YOU HAVE ALREADY BEEN SWITCHED TO THE NEW SYSTEM. SHE ANNOUNCED THAT PEOPLE WHO VOTE IN THE FOSTER STREET SCHOOL PRECINCTS HAVE TEMPORARILY BEEN MOVED TO THE NAVAL RESERVE CENTER AT THE CORNER OF MARSHALL AND SAGINAW FOR THIS ELECTION ONLY. ADDITIONALLY, WARD 1, PRECINCT 7, WHICH PREVIOUSLY VOTED AT THE WALTER FRENCH ACADEMY, HAS BEEN PERMANENTLY MOVED TO THE SOUTH BAPTIST CHURCH AT THE CORNER OF S. CEDAR AND MT. HOPE. SHE URGED EVERYONE TO GET OUT AND VOTE TOMORROW.

COUNCILMEMBER BEAL REPORTED ATTENDING THE FUNERAL OF RICHARD LETTS TODAY. SHE REQUESTED THAT EVERYONE BE CORDIAL AND RESPECTFUL AT TONIGHT'S MEETING, IN MEMORY OF MR. LETTS.

MAYOR HOLLISTER REITERATED THE REQUEST MADE BY COUNCILMEMBER BEAL AND INVITED THE COMMUNITY TO ATTEND THE RENAMING OF THE KINGSLEY COMMUNITY CENTER THIS WEDNESDAY IN MEMORY OF RICHARD AND OLIVIA LETTS. HE ANNOUNCED THE SIGNING OF A SISTER CITY AGREEMENT WITH THE CITY OF AKUAPIM IN GHANA, AFRICA. HE ASKED MR. WIENER TO DISTRIBUTE COPIES OF A BROCHURE ON THE CAMP FOR KIDS WEEK, A PROJECT SUPPORTING PROJECT PLAY. PEOPLE CAN DROP OFF RETURNABLE CANS AND BOTTLES AT AREA SHOP RITE STORES TO DONATE TO THE FUND RAISER.

HE REPORTED RECEIVING A NUMBER OF PHONE CALLS ON FRIDAY AND MONDAY FROM RESIDENTS CALLING ABOUT A NEWSLETTER THEY RECEIVED ALLEGING THAT THEY WERE DELINQUENT IN THE PAYMENT OF THEIR STORM WATER ENTERPRISE FEES AND THAT THE CITY WOULD BE SEIZING THEIR PROPERTY FOR DELINQUENT PROPERTY TAXES. MANY OF THE PEOPLE WHO WERE SENT THIS LETTER HAD PAID THEIR STORM WATER ENTERPRISE FEES AND WERE NOT DELINQUENT. MANY OTHERS WERE SENIOR CITIZENS WHO WERE FRIGHTENED OF LOSING THEIR HOMES. THIS LETTER WAS NOT SENT OUT BY THE CITY. IT IS NOT AN OFFICIAL COMMUNICATION FROM THE CITY OF LANSING. IT WAS MAILED OUT BY CARTO (CITIZENS TO ABOLISH THE RAIN TAX ORDINANCE) AS A PIECE OF CAMPAIGN LITERATURE AND SHOULD BE VIEWED AS SUCH.

COUNCILMEMBER LEEMAN ANNOUNCED THE DEATH OF DALE MARTIN, FORMER DIRECTOR OF MOTOR WHEEL, AND FATHER OF TENNIS GREAT TODD MARTIN.

COUNCILMEMBER LILLY REPORTED HAVING A STAFF MEETING IN HIS OFFICE TODAY IN WHICH THEY DISCUSSED A CONTRACT FOR THE STATE OF MICHIGAN DEPARTMENT OF MANAGEMENT AND BUDGET FOR THE ENLARGEMENT OF THEIR FACILITY.

THEY ARE CURRENTLY LOOKING AT DESIGN STUDIES AND TRAFFIC STUDIES FOR THE IMPLEMENTATION OF THIS PROJECT. MAYOR HOLLISTER NEEDS TO BE AWARE OF THIS TYPE OF INFORMATION SO THAT HE CAN INTERVENE ON BEHALF OF THE CITY.

COUNCILMEMBER ALLEN ANNOUNCED THAT THE NATIONAL GUARD HEADQUARTERS IS MOVING OUT TO THE STATE SECONDARY COMPLEX.

#### ► SPECIAL CEREMONIES

A. PETER SULLIVAN, DIRECTOR OF LEPFA (LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY) AND DONALD RISTOW, CHAIRMAN OF THE BOARD, PRESENTED A CHECK IN THE AMOUNT OF \$50,000 TO MAYOR HOLLISTER REPRESENTING THE SUCCESS OF THE PAST YEARS OPERATION OF LEPFA. THEY ASKED THAT THIS BE CONSIDERED AS A DIVIDEND ON THE FINANCIAL INVESTMENT THAT THE CITY HAS MADE IN THEIR OPERATION. THEY THANKED THE CONVENTION AND VISITORS BUREAU AND THEIR EMPLOYEES, AS WELL AS CITY COUNCIL AND THE ADMINISTRATION.

COUNCILMEMBER JONES ASKED THAT THIS MONEY BE EARMARKED TO ALLOW THE CITY TO ACQUIRE THE FOUR PROPERTIES ACROSS THE STREET FROM EASTERN HIGH SCHOOL. WE SHOULD PURCHASE THESE PROPERTIES AND INVOLVE THE EASTERN STUDENTS IN AN EFFORT TO FORMULATE A PLAN FOR WHAT SHOULD HAPPEN AT THIS SITE.

MAYOR HOLLISTER THANKED MR. SULLIVAN AND MR. RISTOW FOR THE PROFESSIONAL MANNER IN WHICH THIS ENDEAVOR HAS BEEN CARRIED OUT.

B. COUNCILMEMBER BAUER PRESENTED A RESOLUTION OF TRIBUTE TO JOHN STRICKLER OF THE BOARD OF WATER & LIGHT IN TRIBUTE TO THEIR STATUS AS A PUBLIC POWER COMPANY, AND HONORING PUBLIC POWER WEEK. MR. STRICKLER THANKED COUNCIL FOR THE RESOLUTION AND SAID THAT THE EMPLOYEES OF THE BOARD APPRECIATE IT VERY MUCH. THEY ASKED HIM TO THANK THE CITIZENS OF LANSING AND ALL OF THEIR CUSTOMERS FOR THEIR PATIENCE LAST WEEK DURING THE VERY TRYING STORM. THIS WAS THE WORST STORM IN THE HISTORY OF THE BOARD OF WATER & LIGHT. HE INVITED EVERYONE TO ATTEND ONE OF THEIR OPEN HOUSES FROM 6:00 - 8:00 P.M. ON MONDAY AT CRISTO REY, TUESDAY AT FAIRVIEW SCHOOL, WEDNESDAY AT THE SOUTH SIDE POLICE PRECINCT AND THURSDAY AT WAVERLY EAST INTERMEDIATE SCHOOL. THEY WILL HAVE INTERESTING DISPLAYS DEPICTING THE CONVERSION OF WATER INTO STEAM AND STEAM INTO ENERGY. THEY WILL BE GIVING AWAY \$2,500 IN GIFT CERTIFICATES TO ABC WAREHOUSE EACH NIGHT.

C. COUNCILMEMBER LEEMAN, ALONG WITH MAYOR HOLLISTER PRESENTED A RESOLUTION OF TRIBUTE TO JOHN STROLLE, BOARD OF WATER & LIGHT COMMISSIONER, AND THANKED HIM FOR HIS MANY YEARS OF VOLUNTEER SERVICE TO THE CITY OF LANSING. MR. STROLLE SAID THAT IT HAS BEEN A VERY GREAT PRIVILEGE FOR HIM TO WORK ON THIS BOARD WITH PEOPLE WHO ARE VERY DEDICATED TO KEEPING THE BOARD OF WATER & LIGHT AS THE BEST PUBLIC UTILITY IN THE MID-WEST. THE PEOPLE ON THIS BOARD ARE DEDICATED TO MAKING SURE THAT THE UTILITY IS ONE THAT THE CITY CAN



BE PROUD OF. HE INTRODUCED HIS FATHER, VISITING FROM SCOTTSDALE, ARIZONA. MAYOR HOLLISTER COMMENDED MR. STROLLE AS A GREAT AMBASSADOR FOR THE CITY OF LANSING AND SAID THAT HE HOPES THAT HE WILL CONTINUE TO SERVE THE CITY IN A VOLUNTEER ROLL, BECAUSE IT WOULD BE A SHAME TO LOSE SOMEONE OF HIS EXPERTISE.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### **► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:**

I. IN CONSIDERATION OF Z-14-97; 233-235 N. PINE ST., PETITION FOR REZONING FROM "D-2" RESIDENTIAL OFFICE TO "D-1" PROFESSIONAL OFFICE DISTRICT FILED BY MICHIGAN RETAILERS ASSOCIATION TO ALLOW FOR THE USE OF THE ENTIRE BUILDING FOR OFFICE SPACE

ROGER NEWCOMBE OF 720 N. WALNUT STATED HIS OPPOSITION TO THIS REZONING. HE SUGGESTED THAT MICHIGAN RETAILERS HAS PLANS TO EVENTUALLY TEAR DOWN THE EXISTING PROPERTIES ON THEIR PROPERTIES AND BUILD A LARGE OFFICE BUILDING.

BOB COCHRAN OF 403 N. SYCAMORE, PRESIDENT OF THE DOWNTOWN NEIGHBORHOOD ASSOCIATION, STATED HIS OPPOSITION TO THIS PROPOSAL. MICHIGAN RETAILERS CLAIMS TO NEED ROOM FOR EXPANSION, BUT THEY ARE NOT EVEN USING THE SPACE FOR THEMSELVES. THEY ARE LEASING THE DOWNSTAIRS TO SOMEONE ELSE. HE SAID THAT MICHIGAN RETAILERS HAS MADE STATEMENTS REGARDING THEIR LONG TERM INTENTIONS OF TEARING THESE HOUSES DOWN AND PUTTING UP A LARGE OFFICE BUILDING.

GINA NELSON OF 605 W. SHIAWASSEE STATED HER OPPOSITION TO THIS REZONING, BECAUSE IT WOULD HAVE A NEGATIVE AFFECT ON THEIR PROPERTY VALUES. THIS WILL BE A VACANT BUILDING AFTER DARK AND ON THE WEEKENDS.

VICTORIA EARHART OF 301 N. SYCAMORE SAID THAT SHE LIVES AT THE CORNER OF SYCAMORE AND IONIA. SHE STATED HER OPPOSITION TO THIS REZONING. THEY ARE TRYING TO TURN THEIR NEIGHBORHOOD AROUND. THERE ARE MANY VACANT PROPERTIES IN THE DOWNTOWN AREA. MICHIGAN RETAILERS SHOULD MOVE INTO THE DOWNTOWN BUSINESS AND PROFESSIONAL DISTRICT, RATHER THAN ENCROACHING INTO A RESIDENTIAL NEIGHBORHOOD.

STEPHANIE WHITBECK OF 620 W. IONIA SAID THAT THIS REZONING DOES NOT CONFORM TO THE MASTER PLAN, NOR TO THE ZONING CODE. NEITHER DOES IT CONFORM TO THE MINIMUM 20 FOOT SETBACK REQUIREMENT. THE SETBACK ON THIS PROPERTY IS ONLY FOUR FEET. IF THE TREND OF REMOVING HOUSES AND PUTTING IN OFFICES CONTINUES, IT WILL KILL THIS AREA. THEY DO NOT HAVE A MARKET FOR THIS BUILDING. THERE IS A SERIOUS PROBLEM WITH EXCESS OFFICE BUILDING SPACE IN DOWNTOWN LANSING. SHE READ A LIST OF PROPERTIES CURRENTLY AVAILABLE FOR LEASE.

JANET KRIEGER, A RESIDENT AT MSU, SAID THAT ALL OVER THE STATE OF MICHIGAN PEOPLE ARE RECLAIMING DOWNTOWN HOUSING. SHE WOULD LIKE TO LIVE IN THE DOWNTOWN AREA HERSELF. SHE ASKED THAT THE CITY SERIOUSLY CONSIDER CREATIVE ALTERNATIVES TO THIS

REZONING.

JIM HALLAN, PRESIDENT AND CHIEF EXECUTIVE OFFICER OF MICHIGAN RETAILERS ASSOCIATION, WHICH REPRESENTS 4,500 MERCHANTS AND RETAILERS, SAID THAT THEY HAVE BEEN IN THIS LOCATION SINCE 1979. THEY HAVE MORE THAN 33 PEOPLE IN THIS OFFICE. THEY HAVE MADE A SIZEABLE INVESTMENT IN THIS AREA OVER THE YEARS. THE DOWNTOWN NEIGHBORHOOD ASSOCIATION HAS SUPPORTED THEIR PREVIOUS REZONING REQUESTS AND HE IS DISAPPOINTED THAT THEY ARE OPPOSING THIS ONE. THEY HAVE MET WITH THE CITY MANY, MANY TIMES AND HAVE DECIDED NOT TO BUILD A NEW OFFICE BUILDING. THEN THEY WORKED OUT A PLAN TO MAKE THE MOST EFFECTIVE USE OF THEIR EXISTING PROPERTY TO MEET THE NEEDS CAUSED BY THEIR GROWTH AND SPECIAL LIMITATIONS. THIS REZONING REQUEST CONFORMS WITH THE RIVER ISLAND AMENDMENT, AND ADDITIONALLY, IT DEALS WITH THE ISSUE OF THIS PARTICULAR PROPERTY BEING LOCATED TWO OTHER PROPERTIES THAT ARE ALREADY ZONED "D-1". IT GIVES THEM ENOUGH SPACE TO MEET THE NEEDS OF THEIR 5 YEAR PLAN AND CONFORMS WITH THE MASTER PLAN. PEOPLE HAVE ACCUSED THEM OF USING THIS AS A SMOKE SCREEN, BUT THAT IS NOT TRUE. THEY HAD DIFFERENT PLANS FOR THE PROPERTY AT FIRST, BUT MODIFIED THEIR PLANS OVER THE COURSE OF SEVERAL MEETINGS WITH THE CITY.

SHARON KELLOGG OF 421 W. IONIA ASKED THAT EVERYONE WHO IS PRESENT TONIGHT FOR THE PURPOSE OF OPPOSING THIS REZONING TO STAND. APPROXIMATELY 50 PEOPLE STOOD IN A SHOW OF OPPOSITION. SHE STATED THAT THIS REQUEST DOES NOT MEET THE REQUIREMENTS OF THE ZONING CODE. THEY DO NOT NEED THE SECOND FLOOR OF THIS PROPERTY AND WILL NOT CONVERT IT TO OFFICE SPACE BECAUSE IT WOULD COST TOO MUCH.

DAVID ANDERSON OF 320 W. OTTAWA SAID THAT HE BOUGHT AND DEVELOPED 7 BUILDINGS IN THE DOWNTOWN AREA. HE OPPOSES THIS REZONING AND URGED COUNCIL TO DO SO ALSO.

GEORGE BROOKOVER OF 1005 ABBOTT IN E. LANSING SAID THAT HE IS AN ATTORNEY WITH A EAST LANSING LAW FIRM. THEY REPRESENT STEFFANIE AND WILLIAM WHITBECK IN THEIR OPPOSITION TO THIS REZONING. HE STRESSED THE DOCUMENTARY EVIDENCE IN THIS CASE. HE URGED COUNCIL TO READ ALL DOCUMENTS PRESENTED TO THE PLANNING BOARD VERY CAREFULLY. THIS REZONING WOULD ERADICATE A TRANSITION PROPERTY. THERE IS NO EVIDENCE THAT THIS ASSOCIATION NEEDS THIS SITE RATHER THAN ONE OF ITS' OTHER SITES FOR THEIR BUSINESS ACTIVITIES. THIS REZONING WOULD CREATE A DOMINO AFFECT. ONCE THEY REZONE THIS PROPERTY THEY CANNOT GO BACK AND UNDO IT.

ROBERT BENNETT OF 222 W. SAGINAW SAID THAT MICHIGAN RETAILERS SHOULD HAVE FILED A SPECIAL LAND USE REQUEST RATHER THAN A REZONING.

LINDA FAUSEY OF 328 N. WALNUT STATED HER OPPOSITION TO THE REZONING PETITION. THEY HAVE WORKED VERY HARD TO RENOVATE THESE OLD HOUSES. MANY OF THE HOUSES ARE 100 YEARS OLD, OR OLDER. THERE IS ALREADY TOO MUCH UNUSED OFFICE SPACE IN LANSING. THE CITY SHOULD



PLACE MORE EMPHASIS ON RENOVATION OF THESE PLACES FOR RESIDENTIAL USES.

CHRISTINE TIMMON OF 335 W. ST. JOSEPH SAID THAT THE HISTORIC DISTRICT NEEDS TO LEAVE PEOPLE ALONE. SHE ACCUSED THEM OF ABUSING THEIR POWER. SOMETIMES, IT SEEMS THEY HAVE MORE POWER THAN THE MAYOR. SHE SUGGESTED THAT THE PLANNING DEPARTMENT BE INVESTIGATED BECAUSE OF THEIR CRONYISM WITH SPECIAL INTEREST GROUPS.

COUNCILMEMBER NOVAK REQUESTED THAT THE DEVELOPMENT AND PLANNING COMMITTEE MOVE QUICKLY TO TAKE ACTION ON THIS REQUEST BEFORE THE LAST COUNCIL MEETING OF THIS YEAR.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF Z-16-97; 113 PERE MARQUETTE, PETITION FOR REZONING FROM "H" LIGHT INDUSTRIAL TO "G-1" BUSINESS DISTRICT FILED BY ANGEVINE, INC. TO ALLOW FOR EXPANSION OF THE COMMERCIAL USE OF THE EXISTING BUILDING

MICHAEL O'LEARY OF 605 ARBOR GLEN SAID THAT THIS REZONING WOULD PROTECT THE GROWTH OF THEIR BUSINESS FOR THE YEARS TO COME.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

GRETCHEN COCHRAN OF 403 N. SYCAMORE, DIRECTOR OF THE FESTEVE ALCOHOL FREE NEW YEAR EVE CELEBRATION SAID THAT THIS YEARS EVENT WILL SEE OVER 100 PERFORMERS ENTERTAINING AT 21 SITES. OVER 6,000 PEOPLE ATTENDED LAST YEAR'S EVENT AND THEY EXPECT TO DOUBLE THAT NUMBER THIS YEAR. THERE WILL BE FIVE DANCE BANDS AND A TEENFEST. THE PRICE IS THE SAME THIS YEAR AS LAST AT \$7.00 PER PERSON.

TOM HERNLY OF 3425 PALMER OPPOSED THE RESOLUTION PLACING MORE STORM WATER ENTERPRISE FEES ON THE TAX ROLLS, WHILE THE GENERAL SERVICES COMMITTEE HAS NOT HANDLED THE APPEALS FROM PREVIOUS YEARS. THE SCHOOL DISTRICT SHOULD BE EXEMPTED FROM THIS FEE. THEIR PORTION WOULD PAY FOR 6.5 TEACHERS, OR 13 SECURITY GUARDS. IT IS THE EQUIVALENT OF LOSING FEDERAL SUPPORT FOR 70 STUDENTS. ALL RESIDENTS SHOULD RECEIVE A CREDIT LARGER THAN THE 30% THAT WAS RECOMMENDED BY MAYOR HOLLISTER AND APPROVED BY COUNCIL. THIS FUND STILL HAS MONEY LEFT IN IT FROM PREVIOUS YEARS.

KELLY PROPER OF 111 E. CAVANAUGH SAID THAT A LOT OF PEOPLE IN LANSING LIVE ON FIXED INCOMES, SUCH AS SOCIAL SECURITY. THESE PEOPLE CANNOT PAY THEIR STORMWATER FEES. THEY ARE AFRAID OF LOOSING THEIR HOMES. WHY IS LANSING THROWING ITS' SENIOR CITIZENS, WHO BUILT THE CITY, OUT IN THE STREETS?

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. SAID THAT

JUDGE FILICE AND JUDE WOODS ARE INGHAM COUNTY'S TWO LONGEST SERVING JUSTICES. THE TRIBUTES TO THEM ARE WAY OVERDUE.

CHRISTINE TIMMONS OF 335 E. ST. JOSEPH AGREED WITH THE STATEMENTS MADE BY THE PREVIOUS SPEAKERS REGARDING THE TRIBUTES TO JUSTICES FILICE AND WOODS. SHE STATED THAT THERE IS NO GOOD ALTERNATIVE TO THE STORM WATER ENTERPRISE FEE. OTHER COMMUNITIES ARE NOW CONSIDERING THIS TYPE OF FUNDING OPTION.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE SAID THAT THE CITY SHOULD BE GIVING A 70% CREDIT ON THIS YEARS STORMWATER BILLS.

GORDON WILSON OF 4700 BRISTOL ST. STATED HIS OPPOSITION TO THE CSO PROJECT AND THE PLACEMENT OF DELINQUENT STORMWATER FEES ON THE OWNERS TAX BILLS. HOW CAN THE CITY PLACE THESE FEES ON THE TAX BILLS OF SENIOR CITIZENS WHO ARE UNABLE TO PAY THEM?

DARNELL OLDHAM OF BERWICK DR. SAID THAT THE STORMWATER FEE APPEALS ARE BEING REVIEWED HAPHAZARDLY WITH NO FORMULA IN PLACE, AND THAT THE SOUTH SIDE OF LANSING HAS BEEN SEPARATED FOR YEARS AND SHOULD NOT HAVE TO PAY FOR THIS PROJECT. HE BELIEVES THAT EVERY CITIZEN SHOULD GET A 100% CREDIT ON THIS FEE UNTIL SUCH TIME AS THE PROBLEMS WITH THE PROGRAM HAVE BEEN STRAIGHTENED OUT. HE DEMANDED A REFUND ON HIS FEE PAYMENTS AND ON THE INTEREST EARNED ON HIS MONEY.

LLOYD TEETS OF 116 E. ELM ST. STATED HIS MIXED FEELINGS OVER THE PRESENTATION OF A \$50,000 CHECK FROM LEPFA. HE CRITICIZED THE MANNER IN WHICH THE TRANSFER OF FUNDS RESOLUTIONS IS DESCRIBED ON TONIGHT'S AGENDA. HE SAID THAT THE CITY COULD WIND UP TAKING PEOPLE'S PROPERTY FOR DELINQUENT STORM WATER ENTERPRISE FUND FEES AND THEN FINDING OUT THAT THE SUPREME COURT HAS RULED THAT THE FEE REALLY IS A TAX AND IS ILLEGAL AS SUCH.

ALEX BOLT OF 1230 REO RD READ EXCERPTS FROM THE DISSENTING OPINION OF JUDGE MARKMAN OF THE COURT OF APPEALS. HE SAID THAT THE PEOPLE WHO HAVE NOT PAID THEIR 1995 BILLS COULD CONCEIVABLY HAVE THEIR PROPERTY PUT UP FOR TAX SALE THIS SPRING. CARTO WILL CONDUCT AN INITIATIVE PETITION BEFORE THAT EVENTUALITY COMES TO PASS.

**LEGISLATIVE MATTERS  
RESOLUTIONS**

**RESOLUTION #593**

BY THE COUNCILMEMBER JOAN BAUER  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, WE, THE CITIZENS OF LANSING HAVE CHOSEN TO OPERATE A COMMUNITY-OWNED LOCALLY CONTROLLED, NOT-FOR-PROFIT ELECTRIC UTILITY AND, AS CONSUMERS AND OWNERS OF OUR ELECTRIC UTILITY, HAVE A DIRECT SAY IN UTILITY OPERATIONS AND POLICIES; AND



WHEREAS, THE BOARD OF WATER AND LIGHT PROVIDES OUR HOMES, BUSINESSES AND LOCAL GOVERNMENT AGENCIES WITH RELIABLE, EFFICIENT, AND COST-EFFECTIVE ELECTRICITY, STEAM AND DRINKING WATER, EMPLOYING SOUND BUSINESS PRACTICES DESIGNED TO ENSURE THE BEST POSSIBLE SERVICE AT NOT-FOR-PROFIT RATES; AND

WHEREAS, THE BOARD OF WATER AND LIGHT IS A VALUABLE COMMUNITY ASSET THAT CONTRIBUTES SUBSTANTIALLY TO THE WELL-BEING OF LOCAL CITIZENS THROUGH COMPETITIVE ELECTRIC RATES, CUSTOMER SERVICE, ENVIRONMENTAL PROTECTION, ECONOMIC DEVELOPMENT, AND SAFETY AWARENESS; AND

WHEREAS, THE ELECTRIC UTILITY INDUSTRY IS CHANGING AND WILL CONTINUE TO CHANGE OVER THE NEXT FEW YEARS, WITH THE GOAL OF ALLOWING INDIVIDUAL CONSUMERS TO CHOOSE THEIR POWER SUPPLIER WHILE CONTINUING SERVICE FROM THEIR CURRENT ELECTRICITY DISTRIBUTOR; AND

WHEREAS, THIS CONCEPT OF "CUSTOMER CHOICE,, IN GENERATION IS A NEW ONE THAT WILL AFFECT ALL PARTS OF THE ELECTRIC UTILITY INDUSTRY; AND

WHEREAS, AS THIS COMMUNITY'S PUBLIC POWER SYSTEM, THE BOARD OF WATER & LIGHT'S FIRST AND ONLY PURPOSE IS TO FURNISH ESSENTIAL PUBLIC SERVICES TO COMMUNITY CITIZENS AT LOW RATES AND HIGH RELIABILITY; AND

NOW, THEREFORE BE IT RESOLVED, THAT OUR COMMUNITY JOINS HANDS WITH 2,000 OTHER PUBLIC POWER SYSTEMS IN THE UNITED STATES IN CELEBRATING LOCAL, NONPROFIT OWNERSHIP OF THEIR ELECTRIC UTILITY, AND;

BE IT FURTHER RESOLVED, THAT LANSING CITIZENS ARE ENCOURAGED TO ATTEND ONE OF FOUR PUBLIC POWER OPEN HOUSES HOSTED BY THE BOARD OF WATER & LIGHT MONDAY, NOVEMBER 10TH THROUGH THURSDAY, NOVEMBER 13TH.

BY COUNCILMEMBER BAUER

CARRIED UNANIMOUSLY

#### **RESOLUTION #594**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, WILLIAM WROBEL WAS BORN ON OCTOBER 12, 1928 IN BAY CITY TO FRANK AND FRANCIS WROBEL; AND

WHEREAS, BILL MARRIED THE FORMER ROSE GLOWACKI AT ST. CASIMIR WHERE HE SINCE REGULARLY SERVED AS AN USHER AND EARNED AN ADVANCED CERTIFICATE TO BECOME A TEACHER OF RELIGION; AND

WHEREAS, BILL LIVED IN LANSING FOR 41 YEARS, CONSCIENTIOUSLY SERVED ON THE TRAFFIC BOARD FOR THE CITY, AND SPENT HUNDREDS OF HOURS HELPING IN THE LANSING COMMUNITY BY VISITING THE SICK AND SHOVELING SNOW FOR SENIOR CITIZENS, ESPECIALLY FOR WIDOWS; AND

WHEREAS, BILL HAS VOLUNTEERED COUNTLESS HOURS TO THE POLISH FALCONS AS PAST PRESIDENT, DIRECTOR OF THE POLISH FEDERATED HOME, AND VICE PRESIDENT AND IS PRESENTLY VICE PRESIDENT AND DIRECTOR FOR NEST 652 REPRESENTATIVE TO THE DISTRICT XIII- MICHIGAN; AND

WHEREAS, BILL IS A RECIPIENT OF THE BRONZE, SILVER, AND GOLD STARS AS WELL AS THE BRONZE SILVER LEGION OF HONOR CROSSES FOR HIS ACCOMPLISHMENTS WITHIN THE ORGANIZATION, CHURCH AND THE LANSING COMMUNITY; AND

WHEREAS, BILL BE AWARDED THE GOLD LEGION OF HONOR CROSS FOR ALL HIS CONTRIBUTIONS AS A VOLUNTEER FOR THE POLISH FALCONS OF AMERICA, HIS CHURCH, AND THE COMMUNITY FOR THE CITY OF LANSING.

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES WILLIAM WROBEL FOR ALL THE VOLUNTEER TIME AND ENERGY HE HAS PROVIDED TO THE GREATER LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### **RESOLUTION #595**

RESOLVED BY THE  
COMMITTEE ON GENERAL SERVICES

WHEREAS, CHAPTER 1043 OF THE CODE OF ORDINANCES, CITY OF LANSING, ESTABLISHES A STORMWATER ENTERPRISE FUND; AND METHODS FOR COLLECTION OF STORMWATER FEES; AND

WHEREAS, THE CITY ISSUED THE STORMWATER ENTERPRISE FEES ON DECEMBER 1, 1996 AND DECEMBER 22, OF 1995; AND

WHEREAS, THE CITY TREASURER HAS PROVIDED FOR THE COLLECTION OF THE STORMWATER FEES THROUGH VARIOUS MEANS OF PAYMENTS INCLUDING PARTIAL PAYMENTS, AND THAT CERTAIN FEES HAVE REMAINED DELINQUENT FOR A PERIOD OF OVER SIX (6) MONTHS; AND

WHEREAS, APPEALED STORMWATER ENTERPRISE FEES SHALL NOT BECOME DELINQUENT UNTIL SIX MONTHS AFTER A FINAL DECISION IS REACHED REGARDING THE APPEAL, PURSUANT TO CHAPTER 1043.08 OF THE CODE OF ORDINANCES, CITY OF LANSING.

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY ASSESSOR SHALL ADD TO ROLL W-0095 AND ESTABLISH ROLL W-0096, WHICH SHALL INCLUDE TAXABLE PROPERTY PARCELS HAVING A DELINQUENT STORMWATER ENTERPRISE FEE, EXCEPT THOSE DELINQUENCIES WITH A BALANCE DUE OF LESS THAN \$7.60, SHALL NOT BE INCLUDED ON THE ROLL IF A PARTIAL PAYMENT HAS BEEN MADE;

BE IT FINALLY RESOLVED, THE CITY COUNCIL AUTHORIZES THE MAYOR TO AFFIX, WITHIN TEN DAYS, HIS WARRANT DIRECTING THE CITY ASSESSOR TO PLACE ON THE DECEMBER 1997 TAX BILL, DELINQUENT STORMWATER ENTERPRISE FEES, AS PROVIDED BY THE CITY TREASURER, BEFORE THE END OF OCTOBER, 1997.



BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LILLY, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES

**RESOLUTION #596**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS; AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON OCTOBER 30, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF CLUSTER SMITH, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-32-376-511-5; COMMONLY KNOWN AS 4814 TRESSA DRIVE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-32-376-511-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF CLUSTER SMITH WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON CURB AND GUTTER, AND STORMWATER SPECIAL ASSESSMENTS IN PLACE FOR THE YEARS 1995 AND 1996 UP TO THE AMOUNT OF THESE RESPECTIVE STORM WATER BILLS FOR EACH YEAR IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 AND 1996 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-32376-511-5 BE REDUCED FROM \$120.17 TO \$0.00 FOR 1995, AND FROM \$84.20 TO \$0.00 IN 1996.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

**RESOLUTION #597**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON OCTOBER 30, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF LOIS GRAY, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-31-478-081-7; COMMONLY KNOWN AS 0000 SIDNEY STREET, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE

OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-31-478-081-7 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF LOIS GRAY WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-31-478-081-7 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 AND FUTURE STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-31-478-081-7 BE REDUCED BY 25% FROM \$88.20 TO \$61.74.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL DISSENTING)

**RESOLUTION #598**

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED A REQUEST FROM THE FESTEVE, INC. FOR AN ADDITIONAL \$650 TO ENABLE IT TO RENT THE ENTIRE FIRST FLOOR OF THE LANSING CENTER; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE REQUEST FROM THE FESTEVE, INC. FOR AN ADDITIONAL \$650 TO ENABLE IT TO RENT THE ENTIRE FIRST FLOOR OF THE LANSING CENTER; AND

BE IT FURTHER RESOLVED THE MAYOR AND THE FINANCE DEPARTMENT WILL MAKE THE APPROPRIATE STEPS TO PROCESS THIS REQUEST; AND

BE IT FINALLY RESOLVED THE \$650 WILL BE CHARGED TO THE COMMUNITY USE ACCOUNT - 101-173901-742100-0.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #599**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING



WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 4000 HUNTERS RIDGE, LEGALLY DESCRIBED AS: PARCEL NUMBER: 2304 25 451 022 8 - CLUB HOUSE

COM SE COR SEC 25, S 89 DEG 37 MIN 30 SCD W 2072.48 FT N 00 DEG 22 MIN 30 SCD W 198.42 FT, N 16 DEG 25 MIN 24 SCD E ON CHORD 49.81 FT FOR POB, TH N71 DEG 11 MIN 02 SCD W 30 FT, N 36 DEG 40 MIN W. 100 FT, N 17 DEG 09 MIN 56 SCD W 154.31 FT, N 02 DEG 42 MIN 36 SCD E 179.54 FT, N89 DEG

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON JULY 24, 1997, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MONDAY, OCTOBER 27, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MONDAY, NOVEMBER 3, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHER-WISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE

ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### RESOLUTION #600

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 827 HICKORY, LEGALLY DESCRIBED AS: PARCEL No. 3301 15 352 080 9

LOT 26' BLOCK 3 LANSING IMPROVEMENT COMPANY S ADD IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON JULY 24, 1997, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MONDAY, OCTOBER 27, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MONDAY, NOVEMBER 3, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHER-WISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND



BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #601**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 1117 E. MT. HOPE, LEGALLY DESCRIBED AS: PARCEL NO. 3301 22 384 121 6

LOT 64 PARKDALE SUB

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON JULY 24, 1997, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MONDAY, OCTOBER 27, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MONDAY, NOVEMBER 3, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #602**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT LOT BETWEEN 910 AND 918 N. CHESTNUT (GARAGE ONLY), LEGALLY DESCRIBED AS: PARCEL NO. 3301 09 354 041 5 - N 36 FT LOT 9 BLOCK 47 ORIG PLAT

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON JULY 24, 1997, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MONDAY, OCTOBER 27, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS RESOLUTION MONDAY, NOVEMBER 3, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL



TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #603**  
BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF, LANSING

WHEREAS, THE CODE COMPLIANCE MANAGER HAS DETERMINED THAT THE BUILDING LOCATED AT 812 BEULAH, LEGALLY DESCRIBED AS: PARCEL NO. 3301 22 304 041 3 - LOT 31 CLARK S SUB

IS AN UNSAFE OR DANGEROUS BUILDING AS DEFINED IN SECTION 1460.24 OF THE LANSING UNIFORM HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, A HEARING WAS HELD BY THE HEARING OFFICERS ON JULY 24, 1997, AT WHICH THE HEARING OFFICERS DETERMINED THAT SAID BUILDING WAS AN UNSAFE OR DANGEROUS BUILDING AND ORDERED THE BUILDING DEMOLISHED OR OTHERWISE MADE SAFE; AND

WHEREAS, SAID HEARING OFFICERS FILED A REPORT OF THEIR FINDINGS AND ORDER WITH THE CITY COUNCIL AND HAVE REQUESTED THE CITY COUNCIL TO TAKE APPROPRIATE ACTION UNDER THE HOUSING CODE AND THE HOUSING LAW OF MICHIGAN; AND

WHEREAS, THE CITY COUNCIL SCHEDULED A HEARING ON MONDAY, OCTOBER 27, 1997, TO REVIEW THE FINDINGS AND ORDER OF THE HEARING OFFICERS AND THE OWNERS WERE NOTIFIED IN WRITING OF SAID HEARING AND HAD AN OPPORTUNITY TO APPEAR AND SHOW CAUSE WHY SAID BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE;

NOW, THEREFORE, BE IT RESOLVED THAT THE OWNERS ARE HEREBY DIRECTED TO COMPLY WITH THE ORDER OF THE

HEARING OFFICERS TO DEMOLISH OR OTHERWISE MAKE SAFE THE SAID BUILDING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS RESOLUTION MONDAY, NOVEMBER 3, 1997; AND

BE IT FURTHER RESOLVED THAT SHOULD THE OWNER FAIL TO SUBSTANTIALLY COMPLY WITH THE HEARING OFFICERS, ORDER FOR DEMOLITION OR OTHERWISE MAKE SAFE, THE DIRECTOR OF THE BUILDING SAFETY DIVISION IS HEREBY DIRECTED TO PROCEED WITH DEMOLITION OF SAID BUILDING; AND

BE IT FURTHER RESOLVED THAT THE COST OF SUCH DEMOLITION SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY UPON WHICH THE BUILDING IS PRESENTLY LOCATED; AND

BE IT FINALLY RESOLVED THAT THE OWNER IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORD SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COST BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. UPON HIS FAILURE TO PAY THE SAME WITHIN THIRTY (30) DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY OF LANSING AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES IN THE CITY OF LANSING,

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #604**  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED, BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE DIRECTOR OF PUBLIC SERVICE HAS DETERMINED THE REVENUE NEEDS OF THE STORMWATER ENTERPRISE FUND; AND

WHEREAS, THE CITY COUNCIL ESTABLISHED A THREE YEAR RATE FOR STORMWATER FEES BASED ON STATE REVOLVING LOAN FUND (SRF) LOANS BEING AVAILABLE IN FISCAL YEAR 96 AND CASH FUNDING OF CSO CONSTRUCTION IN FISCAL YEARS 97 & 98, AND THE CITY COUNCIL AUTHORIZED THE ADMINISTRATION TO SEEK SRF LOW INTEREST LOANS TO FINANCE THE COST OF FUNDING CSO CONSTRUCTION WHERE POSSIBLE; AND

WHEREAS, THE ADMINISTRATION IS EXPECTING NOTIFICATION FROM THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY THAT THESE LOANS ARE AVAILABLE FOR THE CSO CONSTRUCTION PLANNED FOR FISCAL YEAR 1998; AND

WHEREAS, SECTION 1052.66 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING PROVIDES FOR THE PERIODIC REVIEW AND REVISION OF STORMWATER CHARGES DEVELOPED PURSUANT TO CHAPTER 1052.04 OF THE CODE OF ORDINANCES.

NOW THEREFORE BE IT RESOLVED, THAT, PURSUANT TO



SECTION 1052.06B OF ORDINANCE 925, THE LANSING CITY COUNCIL HEREBY AUTHORIZES THE MAYOR TO PROVIDE A THIRTY (30%) PERCENT CREDIT ON EACH STORMWATER BILL FOR FISCAL YEAR 1998.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #605**  
BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$150,000	GEN. ADMIN.-PERSONNEL CONTIN 101-173901- 992002-0	GEN ADMIN-CTRL 101- 173901-992200-0
\$150,000	GEN ADMIN-CTRL 101- 173901-992200-0	PARKS AND REC-CTRL 101-783860-992200-0
\$150,000	PARKS AND REC-CTRL 101-783860-992200-0	PARKS-STORM DAMAGE 101-783821-700000-0

(TO PROVIDE FUNDING FOR CLEAN-UP OF TREE RELATED STORM DAMAGE FROM OCTOBER 26/27 SNOW STORM. TRANSFER INCLUDES ADMINISTRATIVE AUTHORITY TO TRANSFER INTO APPROPRIATE PERSONNEL AND OPERATING ACCOUNTS TO RECORD ACTUAL EXPENDITURES.)

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**RESOLUTION #606**  
BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE HONORABLE CHARLES F. FILICE, A LIFELONG LANSING RESIDENT, WAS APPOINTED IN 1971 TO THE 54-A DISTRICT COURT AND AT THAT TIME THE YOUNGEST DISTRICT COURT JUDGE IN THE HISTORY OF THE STATE OF MICHIGAN; AND

WHEREAS, JUDGE FILICE ATTENDED LANSING COMMUNITY COLLEGE BEFORE GRADUATION FROM WESTERN MICHIGAN UNIVERSITY AND WAYNE STATE UNIVERSITY LAW SCHOOL; AND

WHEREAS, JUDGE FILICE WAS A LEGAL INTERN FOR THE NEIGHBORHOOD LEGAL SERVICES IN DETROIT AND THE GREATER LANSING LEGAL AID BUREAU BEFORE BECOMING AN ASSISTANT PROSECUTOR, CHIEF TRIAL ATTORNEY, AND CHIEF OF THE CRIMINAL DIVISION IN THE INGHAM COUNTY PROSECUTING ATTORNEY'S OFFICE; AND

WHEREAS, JUDGE FILICE HAS BEEN THE RECIPIENT OF MANY COMMUNITY AWARDS SUCH AS THE DISTINGUISHED ALUMNI AWARD FROM THE LANSING COMMUNITY COLLEGE, OUTSTANDING YOUNG PERSON FROM THE LANSING JAYCEES,

AND THE WINNER OF THE MAN AND BOY AWARD FROM THE BOYS AND GIRLS CLUB OF LANSING, AND THE MEDALLION AWARD FROM THE BOYS AND GIRLS CLUB OF AMERICAN FOR OUTSTANDING SERVICE; AND

WHEREAS, JUDGE FILICE INITIATED THE NOW ANNUAL BROOMBALL GAME BETWEEN A LOCAL HOCKEY TEAM OF ATTORNEYS AND THE MICHIGAN STATE SPARTAN HOCKEY TEAM WHICH HAS RAISED \$110,000 FOR THE BOYS AND GIRLS CLUB OF LANSING; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL THANKS JUDGE CHARLES F. FILICE FOR HIS COMMUNITY SERVICE AND HIS JUDICIAL ACTIONS AS PART OF THE 54-A DISTRICT COURT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #607**  
BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE HONORABLE JAMES J. WOOD, A LIFELONG LANSING RESIDENT, WAS ELECTED MUNICIPAL COURT JUDGE IN JULY OF 1969, WHICH BECAME THE 54-A DISTRICT COURT IN 1969; AND

WHEREAS, JUDGE WOOD GRADUATED FROM MICHIGAN STATE UNIVERSITY WITH HIGH HONOR AND FROM THE UNIVERSITY OF MICHIGAN LAW SCHOOL WITH DISTINCTION, INCLUDING BEING ELECTED TO THE ORDER OF COIF.

WHEREAS, JUDGE WOOD BEGAN HIS LEGAL EXPERIENCE WORKING IN THE LOCAL LAW FIRMS OF FRASER, TREBILCOCK, DAVIS & FOSTER, AND FOSTER, CAMPBELL, LINDEMER & MCGURRIN; AND

WHEREAS, JUDGE WOOD ALSO WORKED IN THE ATTORNEY GENERALS OFFICE IN CRIMINAL AND EDUCATION DIVISIONS AS AN ASSISTANT ATTORNEY GENERAL; AND

WHEREAS, JUDGE WOOD COMMUNITY ACTIVITIES INCLUDED: ST. VINCENT DEPAUL SOCIETY, LANSING SIERRA CLUB, LIONS CLUB, CHURCH OF THE RESURRECTION, ARBITRATOR ON THE DIOCESAN ARBITRATION BOARD, AND MOOT COURT OF THE POLICE ACADEMY, AS WELL AS NUMEROUS PROFESSIONAL ORGANIZATIONS; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL THANKS JUDGE JAMES J. WOOD FOR HIS COMMUNITY SERVICE AND HIS JUDICIAL ACTIONS AS PART OF THE 54-A DISTRICT COURT.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #608**  
BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING



WHEREAS, THE CHARTER OF THE CITY OF LANSING REQUIRES THE COUNCIL ADOPT AN ANNUAL STATEMENT OF BUDGET POLICIES AND PRIORITIES SERVING TO GUIDE THE ADMINISTRATION IN DEVELOPING AND PRESENTING THE FISCAL YEAR 1998-99 BUDGET; AND

WHEREAS, THE POLICIES CONTAINED HEREIN RE-AFFIRM THE CITY COUNCILS COMMITMENT TO THE IMPROVEMENT AND MAINTENANCE OF INFRASTRUCTURE; THE PRESERVATION AND IMPROVEMENT OF CLEAN, SAFE, WELL-MAINTAINED NEIGHBORHOODS, INCLUDING PARKS; COMPREHENSIVE AND AFFORDABLE RECREATIONAL PROGRAMS AND YOUTH AND FAMILY SERVICES; AUTOMATION OF WORK PROGRAMS FOR IMPROVED EFFICIENCY IN SERVICE DELIVERY; AND CONTAINMENT OF COSTS.

NOW, THEREFORE, BE IT RESOLVED THAT THE FOLLOWING STATEMENT OF POLICIES AND PRIORITIES SHALL REMAIN IN EFFECT FROM THE DATE OF ADOPTION AND SHALL GOVERN BUDGET DEVELOPMENT IN FY 1998-99 AND ALL SUCCESSIVE YEARS UNLESS OTHERWISE AMENDED:

#### GENERAL BUDGET

- ▶ 1. THE ADMINISTRATION SHALL PRESENT THE NUMBER OF BUDGETED POSITIONS PER DEPARTMENT, FOR THE PAST FIVE YEARS AND THE AVERAGE BUDGETED COST PER POSITION FOR EACH YEAR.
- ▶ 2. \$20,000 BE BUDGETED IN THE GENERAL ADMINISTRATION ACCOUNT SERIES FOR THE PURPOSE OF SPONSORING NEIGHBORHOOD ASSOCIATIONS' USE, AND USE BY OTHER COMMUNITY BASED NON-PROFIT ORGANIZATIONS, AS APPROVED BY CITY COUNCIL, OF CITY FACILITIES. ADVERTISING AND PROMOTING FUND AVAILABILITY SHALL BE THE RESPONSIBILITY OF THE CITY'S PUBLIC RELATIONS FIRM.
- ▶ 3. NO NEW POSITIONS SHALL BE APPROVED IN THE FY 1998-99 BUDGET, UNLESS NEW POSITIONS ARE BALANCED BY A REDUCTION IN OTHER BUDGETED POSITIONS, OR BASELINE REVENUES INCREASE TO COVER THE COSTS OF ANY NEW POSITIONS.
- ▶ 4. THE ADMINISTRATION SHALL DEVELOP AND PRESENT FOR COUNCIL APPROVAL GOAL BASED PERFORMANCE INDICATORS THROUGH WHICH CITY PROGRAMS AND FUNCTIONS CAN BE MONITORED AND EVALUATED.
- ▶ 5. IDENTIFY ADEQUATE FUNDING OF THE NEW COURT FACILITY.
- ▶ 6. AUTOMATION OF LABOR INTENSIVE SERVICES CONTINUES TO BE A PRIORITY FOR IMPROVING THE EFFICIENCY AND ECONOMY OF CITY PROGRAMS WITH PRIMARY EMPHASIS ON AUTOMATION OF REVENUE GENERATING AND PUBLIC SAFETY PROGRAMS. ADDITIONALLY, IT IS OF PARAMOUNT CONCERN THAT AUTOMATED PROGRAMS HAVE APPROPRIATE AND COMPREHENSIVE SECURITY. RECOMMENDED EXPENDITURES SHALL BE TIED TO THE CITY'S COMPUTERIZATION PLAN, AND ANNOTATED IN THE BUDGET SUBMISSIONS.
- ▶ 7. THE ADMINISTRATION SHALL ANNOTATE MANDATED EXPENDITURES BY CITING THE APPROPRIATE REFERENCE (E.G. STATUTORY REFERENCE, FEDERAL REGISTER NUMBER, ETC.) FOR ALL LEGALLY MANDATED PROGRAMS BY DEPARTMENT.
- ▶ 8. ANY AND ALL ADDITIONS, DELETIONS, AND AMENDMENTS TO ADOPTED CITY COUNCIL POLICY SHALL BE SUMMARIZED AND COMMUNICATED IN A SEPARATE SECTION OF THE MAYOR'S RECOMMENDED BUDGET. ANY POLICY CHANGES NOT SPECIFICALLY DELINEATED IN THIS SECTION SHALL BE NULL AND VOID, AND OF NO EFFECT.
- ▶ 9. THE ADMINISTRATION WORK WITH THE STATE OF MICHIGAN FOR A SEPARATE EQUITY OR PILOT PAYMENT THAT OFFSETS THE AD-VALOREM TAX REVENUES LOST TO THE 193 ACRES OCCUPIED BY STATE OF MICHIGAN FACILITIES.
- ▶ 10. DEVELOP AN ANNUAL REPORT THAT CONTAINS A METHOD TO SURVEY AND TO OBTAIN FEEDBACK FROM RESIDENTS.
- ▶ 11. KEEP ARTS FUNDING FORMULA THE SAME.
- ▶ 12. REVIEW THE BUDGETARY NEEDS WITH AN EYE TOWARDS REDUCING THE COST OF GOVERNMENT BY ONE MILL.
- ▶ 13. A COMPLETE REPORT REGARDING ALL CITY OWNED PROPERTY, INCLUDING THAT TITLED TO THE BOARD OF WATER AND LIGHT, SHALL BE SUBMITTED TO CITY COUNCIL IN ACCORDANCE WITH THE CITY CHARTER.
- ▶ 14. ALL ADMINISTRATIVE TRANSFERS SHALL BE SUBMITTED TO THE CITY COUNCIL THROUGH THE MONDAY NIGHT AGENDA FOR REFERRAL. ALL TRANSFERS SHALL BE PLACED ON THE AGENDA THE MONDAY FOLLOWING APPROVAL.
- ▶ 15. UPON EXPIRATION OF THE 1986 MICHIGAN TRANSPORTATION FUNDS ON AND UPON EXPIRATION OF THE 1987 GENERAL TAX BONDS FOR ROAD REHABILITATION THAT THE MILLAGE RATE BE REDUCED CONSISTENT WITH THE AMOUNTS EXPENDED IN FY 2000-01 AND FY 2001-02, RESPECTIVELY. THE LAST PAYMENT ON THE MICHIGAN TRANSPORTATION FUND BOND ISSUE WILL BE \$215,500 AND THE LAST PAYMENT OF THE GENERAL TAX BONDS FOR ROAD REHABILITATION WILL BE \$2,671,125.

#### PUBLIC SAFETY

- ▶ 1. THE ITEMS DELINEATED BELOW CONSTITUTE THE PRIORITIES FOR EXPENDITURE OF OVERTIME FUNDS WITHIN LPD'S FY 1998-99 BUDGET. SUFFICIENT OVERTIME FUNDS SHALL BE BUDGETED TO, AT A MINIMUM, FULLY FUND THESE PRIORITIES:
  - A. CURFEW AND TRUANCY ENFORCEMENT, AND INCREASED POLICE PRESENCE AROUND AND WITHIN LANSING SCHOOLS PARTICULARLY BEFORE AND AFTER SCHOOL AND DURING LUNCH HOURS.
  - B. POLICING OF SPECIAL EVENTS AND BASEBALL



GAMES WITHOUT DIMINISHING FULL TRAFFIC ENFORCEMENT ACTIVITIES.

C. ABILITY TO CONSISTENTLY AND THOROUGHLY INVESTIGATE SENSITIVE CRIMES, INCLUDING END-OF-SHIFT INVESTIGATIONS AS APPROPRIATE. RECREATION ACTIVITIES. ACCORDINGLY, THE ADMINISTRATION IS DIRECTED TO PURSUE A COOPERATIVE EFFORT WITH EAST LANSING TO PROVIDE A SKATEBOARD-ROLLERBLADE FACILITY AT RANNEY PARK.

D. ELIMINATION OF OPEN PATROL DISTRICTS, PARTICULARLY DURING HIGH SERVICE REQUEST TIMES.

- ▶ 2. CONTINUATION OF FULL FUNDING FOR CURFEW, AND TRUANCY PROGRAMS SHALL BE INCLUDED IN THE FY 1998-99 BUDGET SUBMISSION.
- ▶ 3. IT CONTINUES TO BE A PRIORITY OF THE COUNCIL TO PROVIDE SUFFICIENT FUNDS WHEN NECESSARY TO FRONT-LOAD ANTICIPATED LPD VACANCIES.
- ▶ 4. THE ADMINISTRATION SHALL EVALUATE AND PRESENT WITHIN THE BUDGET SUBMISSION TO THE CITY COUNCIL AN ASSESSMENT, INCLUSIVE OF COSTS AND SERVICE AREAS, OF LOCATING AN AMBULANCE AT EITHER FIRE STATION #9 OR FIRE STATION #10. THE COUNCIL UNDERSTANDS THE NECESSARY FACILITY RENOVATIONS TO ACCOMMODATE THIS POLICY, AND IS PREPARED TO INCLUDE THIS GOAL WITHIN THE APPROVED \$4.5 MILLION BOND ISSUE, OR AS A SEPARATE APPROPRIATION.
- ▶ 5. SUFFICIENT FUNDS SHALL BE BUDGETED TO PROVIDE CROSSING GUARDS AT ALL LOCATIONS IDENTIFIED BY THE LANSING POLICE DEPARTMENT AND THE TRANSPORTATION DIVISION.

#### PARKS AND RECREATION

- ▶ 1. COOPERATION WITH AND SUPPORT OF LANSING PUBLIC SCHOOLS CONTINUES TO BE A TOP PRIORITY. THE CITY SHALL ENDEAVOR TO CREATE, MAINTAIN, AND ENHANCE COOPERATIVE VENTURES WITH LANSING PUBLIC SCHOOLS INCLUSIVE OF RECREATIONAL PROGRAMMING, PROJECT PLAY, MIDDLE SCHOOL SPORTS, AND EFFORTS TO COMPLY WITH FEDERAL CONSUMER PRODUCT SAFETY COMMISSION AND AMERICANS WITH DISABILITIES ACT GUIDELINES. \$75,000 FOR MIDDLE SCHOOL SPORTS SHALL BE INCLUDED IN THE FY 1998-99 BUDGET.
- ▶ 2. THE PARKS DEPARTMENT SHALL DEVELOP SUMMER CHILD CARE RECREATIONAL PROGRAMS TO BE OFFERED FROM 7:00 AM TO 6:00 PM, M-F. A MINIMUM OF TWO SITES SHALL BE OFFERED. LOCATIONS SHALL BE BASED ON GREATEST POPULATION DENSITY OF CHILDREN, PERCENTAGE OF POPULATION BELOW POVERTY, PERCENTAGE OF SINGLE PARENTS, AND AVAILABLE FACILITIES IN THE AREA SELECTED. COUNCIL ANTICIPATES LEVYING A FEE FOR THIS PROGRAM INCLUDING SLIDING-SCALE FEE ALTERNATIVES BASED ON ABILITY TO PAY FOR WORKING PARENT(S) WHO MAY NOT OTHERWISE AFFORD CHILD CARE IN THE SUMMER. THE CITY COUNCIL DESIRES

TO SEE A COOPERATIVE EFFORT BETWEEN PARKS & RECREATION, HUMAN RELATIONS & COMMUNITY SERVICES, AND THE LANSING SCHOOL DISTRICT. IN ADDITION SUMMER RECREATIONAL PROGRAMS SHALL BE SCHEDULED DURING NORMAL WORK DAY HOURS TO ALLOW WORKING PARENTS TO PICK UP AND DROP OFF AT NORMALLY CONVENIENT TIMES.

- ▶ 3. DEVELOPMENT OF COMPREHENSIVE AND ACCESSIBLE RECREATION PROGRAMS AND RECREATIONAL OPPORTUNITIES, PARTICULARLY THOSE DIRECTED AT YOUTH, SENIORS AND FAMILIES, ARE TO BE A TOP PRIORITY IN DEVELOPING THE FY 98 BUDGET. CONSISTENT WITH THIS PRIORITY THE ADMINISTRATION IS DIRECTED TO PROVIDE THE UTMOST COOPERATION AND SUPPORT TO LOCAL INDIVIDUALS, GROUPS, AND NON-PROFIT AGENCIES REQUESTING ASSISTANCE WITH DEVELOPING AND EXPANDING YOUTH
- ▶ 4. AN ANNUAL DEDICATED MINIMUM FUND OF \$25,000 SHALL BE ESTABLISHED TO MAKE SYSTEMATIC BASIC AND ROUTINE INSPECTIONS, AND TO PROVIDE MAINTENANCE, AND REPLACEMENT OF PLAYGROUND EQUIPMENT.
- ▶ 5. SHALL PROVIDE PARKS AND RECREATION DEPARTMENT 11.9% OF THE CITY'S GENERAL FUND BUDGET CONSISTENT WITH THE POLICY ESTABLISHED AT THE TIME OF THE PARK'S MILLAGE APPROVAL.
- ▶ 6. THE PARKS AND RECREATION DEPARTMENT IS REQUESTED TO PROVIDE COSTS AND LOCATION RECOMMENDATIONS FOR OUTDOOR ICE RINKS IN DEVELOPING AND PRESENTING THE FY 98 BUDGET. TO THE EXTENT FEASIBLE, ICE RINKS SHALL BE FULLY OPERATIONAL BY THE BEGINNING OF THE LANSING SCHOOL DISTRICT'S DECEMBER HOLIDAY BREAK.

#### INFRASTRUCTURE

- ▶ 1. A MINIMUM OF \$7,700,000, INCLUSIVE OF ALL FUNDING SOURCES, SHALL BE DEDICATED TO BASIC AND ROUTINE STREET REHABILITATION IN FY 1998-99. ANY TRANSPORTATION SYSTEM IMPROVEMENT FUNDED SHALL BE IN ADDITION TO THE \$7,700,000 NEEDED TO CONDUCT ANNUAL REHABILITATION ACTIVITIES. THE ADMINISTRATION SHALL, WHEN DESIGNING STREET REHABILITATION AND REPAVEMENT PROJECTS, MAKE A RECOMMENDATION TO THE CITY COUNCIL REGARDING THE PROPRIETY OF INSTALLING BIKE LANES WITH THE INTENT OF PROVIDING BIKE LANES WHERE FEASIBLE. IN ADDITION SIDEWALK REPAIR AND REPLACEMENT SHALL BE BUDGETED \$100,000 ABOVE THE FY 1997-98 APPROPRIATION.
- ▶ 2. EXCLUSIVE OF PARKS MILLAGE FUNDS AND FUNDS DEDICATED TO STREET REHABILITATION, A MINIMUM OF 2.7% OF FY 1998-99 GENERAL FUND APPROPRIATIONS SHALL BE DEVOTED TO CAPITAL IMPROVEMENTS WITH EMPHASIS ON REHABILITATION OF EXISTING BUILDINGS. THE ADMINISTRATION SHALL, PRIOR TO OR IN CONJUNCTION WITH THE FY 1998-99 BUDGET RECOMMENDATION PROVIDE AN ANALYSIS OF BUILDING REPAIR NEEDS, A SPACE UTILIZATION STUDY, AND MOST IMPORTANTLY A FUNDING PLAN TO ALLOW FOR A SYSTEMATIC APPROACH TO BUILDING REHABILITATION AND REPAIR.



- ▶ 3. IT CONTINUES TO BE THE POLICY OF THIS COUNCIL TO DEDICATE ALL INTERMITTENT AND ONE-TIME REVENUES TO FIRST FULLY FUND ROAD REHABILITATION GOALS INCLUDING REIMBURSEMENT OF EXPENSES THAT WOULD OTHERWISE BE SPECIFICALLY ASSESSED AND SECOND TO REHABILITATION AND REPAIR OF CITY HALL AND OTHER CITY BUILDING NEEDS IDENTIFIED IN THE BUILDING FACILITY STUDY.
- ▶ 4. \$100,000 OF CDBG FUNDS SHALL BE DEDICATED TO REPAVING LOCAL STREETS IN CDBG ELIGIBLE AREAS
- ▶ 5. THE ADMINISTRATION SHALL, PRIOR TO OR IN CONJUNCTION WITH THE FY 1998-99 BUDGET RECOMMENDATION, PROVIDE AN ANALYSIS OF BUILDING REPAIR NEEDS AND A SPACE UTILIZATION STUDY. THIS POLICY SHALL NOT, HOWEVER, PRECLUDE THE ERECTION OF A NEW SOUTHSIDE FIRE STATION.
- ▶ 6. FY 1998-89 RESIDUAL FUNDS SHALL BE ALLOCATED TO FULL FUNDING OF ROAD REHABILITATION GOALS INCLUDING REIMBURSEMENT OF EXPENSES THAT WOULD OTHERWISE BE SPECIFICALLY ASSESSED AND TO REHABILITATION OF CITY FACILITIES IDENTIFIED IN THE BUILDING FACILITIES STUDY. RESIDUAL FUNDS SHALL FIRST BE SUBJECT TO THE PROVISIONS OF THE BUDGET STABILIZATION FUND ORDINANCE.
- ▶ 7. IF DISTRICT LIBRARY BOARD DETERMINES NEED, TWO LIBRARY BRANCHES NEED SPACE, UTILITIES AND OTHER COSTS.
- ▶ 8. THE DESIGN OF THE SOUTHSIDE COMMUNITY CENTER SHALL ALLOW FOR THE POTENTIAL ADDITION OF A BRANCH LIBRARY FACILITY.

#### DEVELOPMENT AND NEIGHBORHOODS

- ▶ 1. THE ADMINISTRATION SHALL CONTINUE TO IMPLEMENT ALL ALTERNATIVES TO IMPROVING THE AESTHETICS OF BOARDED-UP HOUSES, AND RESEARCH THE LEGALITY OF DEMOLITION IF SUCH STANDARDS CANNOT BE MET AND MAINTAINED. IN ADDITION THE ADMINISTRATION SHALL DEVELOP A PLAN FOR PRESENTATION TO CITY COUNCIL TO REHABILITATE HOUSING ALONG HIGHLY VISIBLE CORRIDORS AND AROUND SCHOOLS.
- ▶ 2. THE ADMINISTRATION SHALL DEVELOP AND PRESENT A PACKAGE OF INCENTIVES DESIGNED TO ASSIST FIRST TIME LOW AND MODERATE INCOME HOME BUYERS, AND CO-OPERATIVES SERVING LOW AND MODERATE INCOME HOME BUYERS. THIS PACKAGE SHOULD INCLUDE CONSIDERATION OF, BUT NOT BE LIMITED TO, LOW INTEREST LOANS, DOWN PAYMENT ASSISTANCE, AND USE OF CDBG REHABILITATION FUNDS WHICH COULD SERVE AS THE EQUITY INVESTMENT FOR THE PURPOSE OF OBTAINING A LOAN.
- ▶ 3. THE ADMINISTRATION SHALL CONTINUE THE PROCESS FOR STUDYING RESIDENTIAL TRAFFIC CONCERNS BY INCLUDING RESIDENTS IN IMPLEMENTING A FORMAL TRAFFIC STUDY. IN ADDITION, THE ADMINISTRATION RESEARCH ALL POSSIBLE METHODS, SPECIFICALLY INCLUDING UTILIZATION OF "PLANED" OR MODIFIED SPEED BUMPS, TO CONTROL

SPEEDS IN RESIDENTIAL AREAS AND TO RE-DIRECT CUT-THROUGH TRAFFIC FROM RESIDENTIAL AREAS TO MAIN STREETS.

- ▶ 4. THE ADMINISTRATION SHALL EXPAND UPON THE CURRENT CITY-WIDE CLEAN-UP PROGRAM OFFERED THROUGH BOTH CDBG AND THE GENERAL FUND TO CREATE AN ALLEY CLEAN-UP COMPONENT COMPRISED OF REMOVING BRUSH, TRIMMING TREES, AND NECESSARY LIGHTING FOR THE PURPOSE OF PROVIDING SECURITY IN PROBLEM AREAS. IN CONJUNCTION WITH THIS POLICY, THE ADMINISTRATION SHALL PRESENT FOR COUNCIL APPROVAL AN AMNESTY PROGRAM ALLOWING FOR THE CLEAN-UP OF PROBLEM AREAS. AREAS SELECTED FOR THIS PROGRAM SHALL BE TRANSMITTED BY THE ADMINISTRATION TO THE COUNCIL FOR REVIEW AND APPROVAL. COUNCILMEMBERS MAY ALSO SUBMIT AREAS FOR INCLUSION IN THIS PROGRAM. THE GEOGRAPHIC SIZE OF THE AREA SHALL NOT DICTATE NOR SERVE AS A BARRIER TO SERVICE DELIVERY.
- ▶ 5. THE CITY OF LANSING SHALL NOT ACQUIRE BUILDINGS FOR THE PURPOSE DEMOLITION UNLESS THE ESTIMATED COST OF REHABILITATION EXCEEDS ESTIMATED COST OF ACQUISITION, DEMOLITION, AND RELOCATION. ANY EXCEPTION TO THIS POLICY MAY ONLY BE AUTHORIZED BY CITY COUNCIL
- ▶ 6. PRIOR TO MARCH 1, 1998 SUBMISSION TO THE CITY COUNCIL OF THE FY 1998-99 BUDGET, THE ADMINISTRATION SHALL SUBMIT TO THE CITY COUNCIL AN ASSESSMENT OF THE PILOT CART REFUSE COLLECTION PROGRAM, INCLUDING AREAS SERVED, PARTICIPATION LEVELS, AND REVENUES AND EXPENSES. THE COUNCIL WANTS ADEQUATE FUNDING TO EXTEND THE PROGRAM CITY WIDE.
- ▶ 7. ADMINISTRATION IS REQUESTED TO PROVIDE RECOMMENDATIONS ON ENFORCING THE SIGN CODE ORDINANCE AND THE PROLIFERATION OF SIGNS BEING PLACED ILLEGALLY ON CITY RIGHT OF WAY.
- ▶ 8. A PROCESS SHALL BE DEVELOPED FOR IDENTIFYING AND CONVEYING CITY-OWNED ALLEYS SERVING BUSINESS TO THE OWNERS(S) OF THE BUSINESS SO SERVED.

BY COUNCILMEMBER NOVAK

TO ACCEPT A SUBSTITUTE RESOLUTION FOR THE RESOLUTION ORIGINALLY CONTAINED IN THE COUNCIL PACKET

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LEEMAN

TO PLACE AN AFFIRMATIVE ROLL ON THE SUBSTITUTE RESOLUTION

CARRIED UNANIMOUSLY

#### **RESOLUTION #609**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING



WHEREAS, THE MICHIGAN COURT OF APPEALS HAS DETERMINED THE STORMWATER FEE IS NOT A TAX; AND

WHEREAS, THE GENERAL SERVICES COMMITTEE HAD NOTIFIED ALL PROPERTY OWNERS, WHO HAD APPEALED THE STORMWATER FEE ON THE BASIS THE FEE WAS A TAX, THAT AS A RESULT OF THE MICHIGAN COURT OF APPEALS DECISION THEIR APPEALS WERE DENIED; AND

WHEREAS, THE STORMWATER FEE ORDINANCE ALLOWS THE COLLECTION OF DELINQUENT STORMWATER FEES FROM NON TAX EXEMPT PARCELS TO BE PLACED ON THE TAX ROLL FOR COLLECTION BUT NOT FOR TAX EXEMPT PARCELS; AND

THEREFORE, NOW BE IT RESOLVED THAT THE CITY COUNCIL DIRECTS THE CITY ATTORNEY TO INITIATE ALL APPROPRIATE MEASURES AGAINST TAX EXEMPT PROPERTY OWNERS WHO ARE DELINQUENT WITH 1995/96 STORMWATER FEE, PRIORITIZED BY THE LARGEST AMOUNT OWED.

BY COUNCILMEMBER LEEMAN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES

#### RESOLUTION #610

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED:

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$2,760.16	PND, PLANNING DIVISION CONTRACT SVC 101- 172620-743000-0	PND, PLAN DIV OPER TRANS GRANT MATCH 101-966000- 991273-00026
\$32,860.16	ESTIMATED REVENUES 273- 0-170001-0	STATE/FED PROG CONTRACT SVC, LANS SURVEY 273- 172600-743000-17721

AMENDS HISTORICAL ARCHITECTURE GRANT FROM THE STATE OF MICHIGAN DEPARTMENT OF STATE, APPROVED IN COUNCIL RESOLUTION #555, TO INCREASE TOTAL AMOUNT OF THE GRANT FROM \$26,000 TO \$32,860.16, AND INCREASING LOCAL MATCH REQUIREMENT BY \$2,760.16 FROM \$10,400 TO \$13,160.16. (MEMO REVENUE ACCOUNTS \$19,700, STATE OF MICHIGAN 273-0-527001-17721; \$13,160.16, CITY OF LANSING, 273-0-696101-17721)

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 1460

#### HOUSING CODE

BY COUNCILMEMBER ALLEN:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTION 1460.01 THROUGH 1460.99, FOR THE PURPOSE OF AMENDING AND READOPTING THE HOUSING CODE, WAS INTRODUCED BY COUNCILMEMBER ALLEN AND REFERRED TO THE COMMITTEE PUBLIC SAFETY.

#### RESOLUTION #611

#### RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER ALLEN:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, NOVEMBER 17, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTION 1460.01 THROUGH 1460.99 FOR THE PURPOSE OF AMENDING AND READOPTING THE HOUSING CODE

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

#### INTRODUCTION OF ORDINANCE RECODIFICATION OF THE CODE OF ORDINANCES CITY OF LANSING

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, FOR THE PURPOSE OF THAT THE 1987 CODE OF ORDINANCES AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH NOVEMBER 24, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED, INCLUDING, BUT NOT LIMITED TO; CHAPTER 654, SECTIONS 654.01 THROUGH 654.99, THE NOISE ORDINANCE; CHAPTER 296, SECTIONS 296.01 THROUGH 296.99, THE FAIR HOUSING ORDINANCE; CHAPTER 1046, SECTIONS 1046.01 THROUGH 1046.99, THE INDUSTRIAL PRETREATMENT ORDINANCE; CHAPTER 872, SECTIONS 872.01 THROUGH 872.99, THE VEHICLE FOR HIRE ORDINANCE, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE GENERAL SERVICES.

#### RESOLUTION #612

#### RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT



A PUBLIC HEARING BE SET FOR MONDAY, NOVEMBER 17, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING FOR THE PURPOSE OF THAT THE 1987 CODE OF ORDINANCES AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH NOVEMBER 24, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED, INCLUDING, BUT NOT LIMITED TO; CHAPTER 654, SECTIONS 654.01 THROUGH 654.99, THE NOISE ORDINANCE; CHAPTER 296, SECTIONS 296.01 THROUGH 296.99, THE FAIR HOUSING ORDINANCE; CHAPTER 1046, SECTIONS 1046.01 THROUGH 1046.99, THE INDUSTRIAL PRETREATMENT ORDINANCE; CHAPTER 872, SECTIONS 872.01 THROUGH 872.99, THE VEHICLE FOR HIRE ORDINANCE

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

INTRODUCTION OF ORDINANCE  
AMENDING CHAPTER 1442.22  
THE SIGN CODE

BY COUNCILMEMBER NOVAK:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1442, SECTION 1442.22, FOR THE PURPOSE OF AMENDING THE BILLBOARD PROVISIONS OF THE SIGN CODE, WAS INTRODUCED BY COUNCILMEMBER NOVAK AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

**RESOLUTION #613**  
RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER NOVAK:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, NOVEMBER 24, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1442, SECTION 1442.22 FOR THE PURPOSE OF AMENDING THE BILLBOARD PROVISIONS OF THE SIGN CODE

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER NOVAK

CARRIED UNANIMOUSLY

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY RELATED MATTERS

PATTY FARHAT REED OF 2501 HAMPDEN DR. URGED VOTERS TO VOTE NO ON PROPOSAL ONE TOMORROW. SHE HAS SERIOUS PROBLEMS WITH THE FUNDING OF THIS PROJECT.

GARY HARTMAN OF 2311 BARSTOW STATED HIS OPPOSITION TO PROPOSAL ONE ON TOMORROW'S BALLOT. THIS PROPOSAL COULD CAUSE DAMAGE TO LAW OFFICERS REPUTATIONS WITHOUT CAUSE, BECAUSE, INFORMATION ABOUT UNSUBSTANTIATED COMPLAINTS COULD BE RELEASED. THIS WOULD HAVE SEVERAL NEGATIVE CONSEQUENCES FOR THE CITY AND IT'S RESIDENTS.

WILLY WILLIAMS OF 505 W. LENAWEE WAS REMOVED FROM THE PODIUM AT THE REQUEST OF PRESIDENT BEAL FOR PERSONAL ATTACKS UPON HER FAMILY MEMBERS.

RUTH HALLMAN OF 1014 W. LAPEER STATED HER OPPOSITION TO PROPOSAL ONE. THIS PROPOSAL WOULD JEOPARDIZE THE CITY'S LIABILITY INSURANCE AND VIOLATE THE COLLECTIVE BARGAINING AGREEMENTS WITH THE POLICE UNIONS. THIS PROPOSAL DOES NOT PROVIDE FOR AN APPEAL PROCESS. ADDITIONALLY, NO CIVILIAN REVIEW BOARD IN THIS COUNTRY ALLOWS DISCIPLINE TO BE IMPOSED BY IT'S REVIEW BOARD AS THIS PROPOSAL WOULD DO.

MIKE ZDEBSKI OF 1020 N. FOXSON SPOKE IN OPPOSITION TO PROPOSAL ONE. THE BOARD OF POLICE COMMISSIONERS ARE RESIDENTS OF LANSING. THEY ARE IN THE PROCESS OF WORKING TO IMPROVE THEIR PROCEDURES. ORGANIZING A CITIZENS REVIEW BOARD WOULD JUST BE A DUPLICATION OF THEIR SERVICES TO THE CITY. IT WOULD MEAN INCREASED TAXES AND DECREASED SERVICES.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. STATED HIS OPPOSITION TO THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. IT WOULD PROVIDE FOR DISCRIMINATION BY ASSOCIATION. OTHER REVIEW BOARD ORDINANCES DO NOT CONTAIN THE TYPE OF LANGUAGE THAT IS CONTAINED IN THIS PROVISION.

GORDON WILSON OF 4700 BRISTOL STATED HIS ENDORSEMENTS OF CANDIDATES RUNNING FOR ELECTIVE OFFICE. HE SAID THAT THE CITY OF LANSING NEEDS TO DO SOMETHING FOR THE BOZEK'S. THEY HAVE LOST THEIR SON AND DESERVE SOMETHING FROM THE CITY OF LANSING. WE NEED THE CITIZENS REVIEW BOARD BECAUSE WE NEED JUSTICE AND TO HAVE OUR RIGHTS OBSERVED WHEN WE COME AND ASK QUESTIONS AT CITY HALL, HE SAID.

KELLY PROPER OF 111 E. CAVANAUGH STATED HER ENDORSEMENTS OF CANDIDATES RUNNING IN TOMORROW'S ELECTION.

RITA BUNTON OF 3311 BRISBANE STATED HER SUPPORT FOR THE CITIZENS REVIEW BOARD BALLOT PROPOSAL BECAUSE, THE CURRENT COMPLAINT SYSTEM HAS NOT WORKED FOR 19 YEARS. POLICE OFFICERS ARE NOT ABOVE THE LAW. WE NEED TO RESTORE CREDIBILITY IN THE LANSING POLICE DEPARTMENT.

ALEXANDER BOLT OF 1230 REO RD. ACCUSED MAYOR



HOLLISTER OF PLAYING POLITICAL GAMES TO ELECT THE CANDIDATES OF HIS CHOICE WHO WILL DO HIS BIDDING ON CITY COUNCIL.

ANTONIA MAISTRO OF 2015 BYRNES RD. SAID THAT SHE HAS A NUMBER OF UNANSWERED QUESTIONS ABOUT THE CITIZENS REVIEW BOARD BALLOT PROPOSAL AND THE OPERATING COSTS FOR IT. THE PERSONNEL NEEDS COULD COST AS MUCH AS \$100,000 PER YEAR, NOT COUNTING BENEFITS AND RETIREMENT PAYMENTS. THIS IS IN ADDITION TO THE EXPENSE FOR THEIR OFFICES AND OFFICE EQUIPMENT, PLUS SUPPLIES. NONE OF THIS MONEY HAS BEEN BUDGETED INTO THE CURRENT FISCAL YEAR. WHERE WOULD THIS AMOUNT OF MONEY COME FROM?

HELEN FISER OF 12100 S. CORK IN MORRICE DEMANDED THAT SHE BE PROVIDED WITH DOCUMENTATION THAT SHE RECEIVES SERVICES FOR THE STORM WATER ENTERPRISE FUND FEES THAT SHE IS BEING BILLED. ONCE AGAIN, HER FOIA WILL NOT BE ANSWERED ON TIME.

MARTHA GREEN OF 1527 MT. VERNON IN E. LANSING SPOKE IN SUPPORT OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. SHE SAID THAT SHE IS TIRED OF THE CITY ADMINISTRATION TRYING TO SCARE PEOPLE ABOUT THIS ISSUE. IT IS CONSISTENT WITH STATE LAW.

MARGARET KLOTZ OF 9504 CHADWICK RD. IN LANSBURG SAID THAT THE CITIZENS REVIEW BOARD PROPOSAL DOES NOT VIOLATE UNION CONTRACTS. SHE COMPLIMENTED HER PARENTS THE BOZEK'S. SHE IS VERY GRATEFUL TO HAVE THEM AS PARENTS. SHE URGED A YES VOTE ON THE CITIZENS REVIEW BOARD ISSUE TOMORROW.

VIRGINIA BOZEK OF 419 CLARENDON IN E. LANSING SAID THAT THE LANSING POLICE DEPARTMENT HAS HAD A TREMENDOUS AFFECT ON HER LIFE. SHE THANKED REVEREND STONE AND THE MARCH FOR JUSTICE FOR THEIR KINDNESSES TO HER. THE INTERNAL AFFAIRS DIVISION OF THE POLICE DEPARTMENT SHOULD HAVE CONDUCTED AN INVESTIGATION INTO THE DEATH OF HER SON, GARY BOZEK. THEY SHOULD HAVE DEALT WITH HER FAMILY IN A MORE HUMANE MANNER. THEY SHOULD HAVE USED LESS LETHAL MEANS FOR DEALING WITH HER SON. SHE URGED A YES VOTE ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.

DICK FISER OF 12100 S. CORK RD. IN MORRICE SAID THAT HE IS CONFUSED OVER THE BUDGET PROCESS AND OVER WHO IS IN CHARGE OF FOIA ANSWERS IN LANSING. HE ASKED IF THE FOIA OFFICER WERE AWARE OF RECENT CHANGES IN THE FOIA LAW.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. STATED THAT SHE EXPECTS HONESTY FROM HER ELECTED OFFICIALS. SHE STATED HER SUPPORT OF THE CITIZENS REVIEW BOARD ISSUE. SHE ACCUSED MAYOR HOLLISTER OF LYING. SHE STATED HER ENDORSEMENT OF CANDIDATES RUNNING FOR ELECTIVE OFFICE.

REVEREND LAWRENCE HINTON, NO ADDRESS GIVEN, STATED HIS SUPPORT OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THIS PROVISION DOES NOT GIVE THEM OVERSIGHT OVER THE LPD, JUST OVER THE COMPLAINTS FILED AGAINST THE LPD. IT WILL NOT JEOPARDIZE THE

CITY'S LIABILITY INSURANCE, OR IT'S COLLECTIVE BARGAINING PROCESS.

DARNELL OLDHAM OF 3815 BERWICK STATED HIS SUPPORT FOR THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. IT IS THE BEST THING YOU COULD DO FOR YOUR NEIGHBORS, FRIENDS AND FAMILY. INJUSTICE IS A THREAT TO EVERY CITIZEN IN THE CITY. THIS PROVISION WILL ACTUALLY PROTECT THE RIGHTS OF POLICE OFFICERS TOO. WE NEED ACCOUNTABILITY IN THE LPD.

LINDA DAVIS OF 4056 WOODBRIDGE STATED HER SUPPORT FOR THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THIS WILL PROTECT THE INTEGRITY OF THE LPD AND WOULD BUILD TRUST AND CONFIDENCE IN LAW ENFORCEMENT.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT IT IS TIME TO BRING TRUTH TO THE DISCUSSION ABOUT THE CITIZENS REVIEW BOARD PROPOSAL. HE STATED THAT THE POLICE BOARD HAS ONLY INVESTIGATED ONE COMPLAINT IN THE PAST 20 YEARS. HE URGED A YES VOTE ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING SAID THAT HIS SON WAS SHOT AND KILLED BY A LANSING POLICE OFFICER. HE HAS THE RIGHT TO BE HERE AND TO DISCUSS THIS PROBLEM WITH US. HE URGED EVERY CITIZEN OF LANSING TO VOTE THEIR CONSCIENCE ON THIS ISSUE, NO MATTER WHAT ANYONE TELLS THEM. HE THANKED THE 7,000 PLUS PEOPLE WHO SIGNED THE CITIZENS REVIEW BOARD PETITIONS.

ELIZABETH BONELLO OF 2613 ARLINGTON RD. STATED HER OPPOSITION TO THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THIS IS A VOTE IN SUPPORT OF THE LPD. THIS AGENCY IS MADE UP OF MEN AND WOMEN WITH INTEGRITY.

CHRIS MAGNUS OF 2101 BELLMONT, A POLICE OFFICER FOR THE CITY OF LANSING FOR 13 YEARS, THANKED THE NEIGHBORHOOD RESIDENTS AND COMMUNITY VOLUNTEERS WHO HAVE HELPED THEM CIRCULATE INFORMATION ABOUT THE CONSEQUENCES OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THIS CAMPAIGN IS NOT ABOUT A CIVILIAN REVIEW BOARD. WE HAVE THAT RIGHT NOW, IN THE FORM OF THE BOARD OF POLICE COMMISSIONERS. MOST RESIDENTS SUPPORT IMPROVING WHAT WE ALREADY HAVE. WHAT IS WANTED BY THE CITIZENS REVIEW BOARD GROUP IS A PROCESS THAT WILL ALLOW THE OUTCOMES THAT THEY AGREE WITH. HE URGED A NO VOTE ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.

LEE CANADY OF 2701 W. MT. HOPE, A MEMBER OF THE BOARD OF POLICE COMMISSIONERS STATED HIS OPPOSITION TO THE CITIZENS REVIEW BOARD ISSUE. THE CURRENT MEMBERS OF THIS BOARD ARE MAKING IMPROVEMENTS SUCH AS REMODELING OF THE DETENTION CENTER. THEY ARE LISTENING AND RESPONDING. THEY HAVE BEEN WORKING WITH THE POLICE UNIONS TOO.

KELLY WALKER OF 3126 N. TURNER SAID THAT SHE LIVES IN LANSING HOUSING COMMISSION HOUSING, AND HAS DONE SO FOR THE PAST NINE MONTHS. SHE HAS EXPERIENCED MANY ABUSES DURING THAT PERIOD OF TIME. SHE DOES NOT LIKE THE HOUSING AND ASKED FOR HELP WITH HER



PROBLEMS.

BARBARA LUOMA OF 2100 RIVERSIDE CRT. THANKED COUNCIL FOR HELPING HER. THEY ASSISTED HER WITH HOUSING SOME MONTHS AGO, WHEN THEY GET HER INTO SILVERSTONE TOWN HOUSES. SHE CAME TONIGHT JUST TO THANK THEM.

ALBERTA JORDAN 1649 GREENCREST IN E. LANSING URGED VOTERS TO VOTE "YES" ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. SHE STATED THAT IT IS NOT THE KIDS THAT DO DRIVE-BY-SHOOTINGS THAT HAVE CREATED THIS MESS.

AMMAHAD SHEKARAKKI OF 902 WILLOW ST. SAID THAT IT IS SAD THAT THE COMMUNITY HAS BECOME DIVIDED THIS WAY. THEIR GROUP IS NOT AGAINST ANYONE. THEY HAVE NEVER CLAIMED THAT ALL POLICE OFFICERS ARE BAD. ALL THE CITIZENS UNITED FOR A CITIZENS REVIEW BOARD HAVE SAID IS THAT POLICE SHOULD BE PROFESSIONAL AT ALL TIMES, AND IF YOU ARE NOT, YOU WILL HAVE TO ANSWER FOR IT.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH URGED VOTERS TO VOTE NO ON THE "CITIZENS REVENGE BOARD." MANY FINANCIAL CONSIDERATIONS HAVE BEEN BROUGHT TO LIGHT THAT SHOULD CONVINCE EVERYONE TO VOTE NO ON THIS PROPOSAL.

ROBERT BENNETT OF 222 W. SAGINAW SPOKE IN SUPPORT OF A NORTH SIDE POLICE PRECINCT, LOCATED IN THE NORTH SIDE, AND OF ICE RINKS AT COMSTOCK AND SYCAMORE PARK.

JOYCE TEDDER SPOKE IN SUPPORT OF A CITIZENS REVIEW BOARD. SHE REPORTED HAVING DEALINGS WITH THE BOARD OF POLICE COMMISSIONERS SEVERAL YEARS AGO AND FELT THAT THEY WERE UNSYMPATHETIC TO HER NEEDS. SHE HAD BEEN FALSELY ARRESTED AND BRUTALIZED BY LPD OFFICERS. WE NEED THE CITIZENS REVIEW BOARD TO MONITOR THE BEHAVIOR OF POLICE OFFICERS. LEAVING DISCIPLINE TO THE COMMAND OFFICERS AT LPD IS NOT ADEQUATE.

REVEREND LESTER D. STONE OF FRIENDSHIP BAPTIST CHURCH URGED EVERYONE TO VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. THEIR COMMITTEE DOES NOT ENDORSE, SUPPORT, OR OPPOSE CANDIDATES. THEY ARE NOT AGAINST ANY LAW ENFORCEMENT OR POLICE OFFICER. THE CITIZENS REVIEW BOARD WILL NOT IMPOSE DISCIPLINE ON POLICE OFFICERS INDEPENDENT OF THE UNION CONTRACTS. IT WILL BE CONSISTENT WITH STATE LAW AND UNION CONTRACTS. THE CURRENT BOARD OF POLICE COMMISSIONERS HAS NOT DEALT WITH COMPLAINTS AGAINST POLICE OFFICERS IN 20 YEARS. HE URGED PEOPLE TO VOTE YES ON THE CITIZENS REVIEW BOARD BALLOT PROPOSAL.

ED SIMMER OF 2609 DIER ANNOUNCED HIS ENDORSEMENTS OF CANDIDATES FOR CITY OF LANSING ELECTIVE OFFICES.

#### CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR APPROVAL

NEW CLASS C (CONFERENCE CENTER) LIQUOR LICENSE;  
FINE HOST CORPORATION & LANSING ENTERTAINMENT &  
PUBLIC FACILITIES AUTHORITY (2)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF  
BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY  
CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

3. LETTER FROM GREG KOESSEL, INTERNAL AUDITOR  
SUBMITTING THE SEVEN YEAR ROAD REHABILITATION  
PROGRAM

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. JOSEPH A. YOUNG & ASSOCIATES, INC. SUBMIT THE  
REPORT ON THE INVESTIGATION OF THE MELLING FORGING  
GASSING INCIDENT

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. EMERGENCY MANAGEMENT EXECUTIVE ORDER; MAYOR  
HOLLISTER ISSUES EXECUTIVE ORDER REGARDING THE  
REMOVAL OF TREES, LIMBS, BRANCHES AND VEGETATION  
FELLED BY THE ICE STORM OF SUNDAY, OCTOBER 26,  
1997

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND  
THE COMMITTEE ON WAYS AND MEANS

6. LETTERS FROM THE MAYOR RE:

A/ TRANSFER OF FUNDS; PLANNING DEPT.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B/ EMERGENCY PURCHASE; ASBESTOS ABATEMENT INC.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C/ 1997 HOLIDAY PARKING PROMOTION

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND  
THE COMMITTEE ON WAYS AND MEANS

D/ Z-20-97; 1110 W. ALLEGAN

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND  
PLANNING

E/ PROTEST PETITION; Z-20-97, 1110 W. ALLEGAN

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND  
PLANNING

F/ LETTER OF APPRECIATION FROM MARIA IRMA ITURBIDE  
ROBLES, DIRECTOR OF PUBLIC RELATIONS FOR  
GUADALAJARA, JALISCO TO THE LANSING FIRE DEPARTMENT

RECEIVED AND PLACED ON FILE



G/ TERMINATION OF CONTRACT FOR THE TRANSFER OF HEALTH JURISDICTION WITH THE BARRY-EATON DISTRICT HEALTH DEPARTMENT

RECEIVED AND PLACED ON FILE

H/ Z-22-97; 1100 BLOCK OF E. MILLER RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

I. SUSPENSION ITEM FROM FROM COUNCILMEMBER BAUER; A RESOLUTION APPROVING THE LEASE AGREEMENT FOR THE SOUTH SIDE LIBRARY

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS AND THE COMMITTEE ON WAYS ANE MEANS

J. SUSPENSION ITEM FROM COUNCILMEMBER BAUER; A RESOLUTION APPROVING TRANSFER OF FUNDS FOR THE OPERATION OF THE SOUTH SIDE LIBRARY FOR THEIR FIRST SIX MONTHS

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS AND THE COMMITTEE ON WAYS AND MEANS

### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES OF PERMIT #976203, ISSUED TO THE CITY OF LANSING FOR SEWERAGE SYSTEM CONSTRUCTION FOR THE WAVERLY ROAD SSX PROJECT

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

2. LETTER FROM THE BURCHFIELD NEIGHBORHOOD WATCH REQUESTING INSTALLATION OF STOP SIGNS AT THE INTERSECTIONS OF BEL AIR AND BURCHFIELD AND AT REO RD. AND BURCHFIELD

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

3. PETITION SIGNED BY 15 BUSINESS REPRESENTATIVES IN SUPPORT OF A NORTH LANSING POLICE PRECINCT

REFERRED TO THE MAYOR AND THE PUBLIC SAFETY COMMITTEE

4. LETTER FROM SPIRIT LIFE CHURCH REQUESTING WITHDRAWAL OF THEIR PETITION FOR SLU-03-97, SPECIAL LAND USE AT 402 S. WASHINGTON AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

5. LETTER FROM DARRYL BURGESS OF 1407 PROSPECT REGARDING THE SALE OF THE CIVIC ARENA

RECEIVED AND PLACED ON FILE

6. REQUEST FOR APPROPRIATION OF COMMUNITY PROMOTIONS FUNDS FROM: EL-HAJJ MALIK EL-SHABAZZ ACADEMY

REFERRED TO THE MAYOR

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER ALLEN SAID THAT SHE HAS BEEN PRIVILEGED AND HONORED TO SERVE THE CITIZENS OF LANSING ON THE LANSING CITY COUNCIL FOR THE PAST FOUR YEARS. DURING THIS TIME, SHE HAS FELT THAT THE MAJORITY WAS CONSISTENTLY UNREPRESENTED. SHE HAS TRIED TO REPRESENT THEM AND WOULD LIKE TO CONTINUE TO DO SO FOR ANOTHER 4 YEARS. SHE URGED RESIDENTS TO GET OUT AND VOTE IN TOMORROW'S ELECTION.

COUNCILMEMBER JONES THANKED HIS CONSTITUENCY FOR ALLOW HIM TO SERVE THEM FOR THE LAST FOUR YEARS.

COUNCILMEMBER BEAL MADE A STATEMENT REGARDING HER DECISION TO RUN FOR THE MAYOR'S OFFICE. SHE HESITATED TO ENTER THE RACE FOR FEAR OF PERSONAL ATTACKS. THE TYPE OF PERSONAL ATTACKS SHE EXPERIENCED TWO YEARS AGO. SHE HAS BEEN BEAT UP REGARDING THE USE OF HER OFFICE HOLDERS ACCOUNT, AND BEAT UP BY THE BOARD OF POLICE COMMISSIONERS, HOWEVER THE VISCUOUS AND SCURRILLOUS PERSONAL ATTACKS UPON HER FAMILY THAT HAVE RESULTED FROM THIS CAMPAIGN WILL BE MEDIATED IN THE NEAR FUTURE. PEOPLE WHO ARE TRYING TO MAKE THIS A CAMPAIGN ISSUE SHOULD BE ASHAMED OF THEMSELVES. AS A RESULT OF THESE ATTACKS HER 75 YEAR OLD MOTHER HAS SOLD HER HOUSE ANDMOVED OUT OF THE STATE.

### MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

MR. WIENER COMMENTED REGARDING THE EMOTION EXPRESSED THROUGH DEBATE THIS EVENING. WE LIVE IN A DEMOCRATIC SOCIETY AND WE ALL HAVE A RIGHT TO VOTE. HE URGED EVERYONE TO EXERCISE THIS RIGHT, IT IS OUR GREATEST PRIVILEGE.

**ADJOURNED 11:10 P.M.  
MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF NOVEMBER 10, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF OCTOBER 27, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LILLY; A LETTER FROM RHONDA NEVEAU, CHAIR OF THE KENDON SCHOOL PTA REQUESTING FINANCIAL ASSISTANCE WITH THE PURCHASE OF PLAYGROUND EQUIPMENT FOR THEIR SCHOOL
2. FROM COUNCILMEMBER ALLEN; A LETTER FROM WILLIAM BRANDON OF 817 S. DEXTER DR. REGARDING TRAFFIC PROBLEMS ON DEXTER DR.
3. FROM COUNCILMEMBER LEEMAN; A RESOLUTION APPOINTING DULLES COPEDGE TO THE PUBLIC SERVICE BOARD FOR A TERM TO EXPIRE JUNE 30, 1998
4. FROM COUNCILMEMBER NOVAK; A RESOLUTION AMENDING CITY COUNCIL PERSONNEL RULES IN SECTION 15D FOR THE PURPOSE OF CHANGING LONGEVITY REQUIREMENTS

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER ALLEN URGED EVERYONE TO COME AND WATCH THE VETERANS DAY PARADE TOMORROW AT 7:00 P.M. SHE ANNOUNCED A PUBLIC POWER WEEK CELEBRATION THIS WEDNESDAY FROM 6:00 TO 8:00 P.M.

AT THE SOUTH SIDE POLICE PRECINCT, SPONSORED BY THE BOARD OF WATER & LIGHT. HE URGED FAMILIES TO ATTEND THE PUBLIC FORUMS ARRANGED FOR THE DISCUSSION OF THE QUALITIES NEEDED IN THE NEXT CHIEF OF POLICE ON NOVEMBER 18, 1997 AT EVERETT HIGH SCHOOL AT 7:00 P.M., OR AT OTTO MIDDLE SCHOOL ON NOVEMBER 19, 1997 AT 7:00 P.M. SHE ANNOUNCED THE 70TH BIRTHDAY PARTY OF REX GILLETTE AT THE ODD FELLOW'S HALL. SHE THANKED EVERYONE WHO SUPPORTED HER BID FOR REELECTION AND EVERYONE WHO VOTED FOR HER. SHE PLEDGED TO CONTINUE TO REPRESENT THE RESIDENTS OF THE SECOND WARD TO THE BEST OF HER ABILITY. SHE ANNOUNCED THAT PEOPLE WHO STILL HAVE YARD SIGNS THAT SHE HAS NOT PICKED UP ARE REQUESTED TO CALL HER OFFICE AND LEAVE THEIR NAME, ADDRESS, AND PHONE NUMBER SO THAT SHE CAN ARRANGE TO PICK THE SIGNS UP.

COUNCILMEMBER BAUER SPOKE REGARDING THE RETREAT THAT SHE PROPOSED FOR CITY COUNCIL THAT WAS REPORTED IN TODAY'S NEWSPAPER. SHE IS PROPOSING THAT COUNCIL TAKE A DAY, OR TWO, WITH INCOMING COUNCILMEMBERS AND THE ADMINISTRATION FOR A PLANNING SESSION. SHE BELIEVES THIS WOULD BE MOST HELPFUL AND URGED THE INPUT OF ALL OF THE PEOPLE INVOLVED. THIS WOULD BE ARRANGED IN SUCH A WAY AS TO NOT VIOLATE THE OPEN MEETINGS ACT. IT SHOULD BE OPEN TO THE PUBLIC.

COUNCILMEMBER JONES CONGRATULATED THE TWO NEWLY ELECTED AT-LARGE COUNCILMEMBERS ADADO AND MEYER. HE HOPES THEY WILL CONTINUE THE SPIRIT OF THE CURRENT COUNCIL, WHICH IS OPEN DISCUSSION AND AN OPEN EXCHANGE OF INFORMATION TO THE CITIZENS. HE ANNOUNCED A DEMONSTRATION, TOMORROW, BY STRIKING MEMBERS OF UAW LOCAL 724 AT MELLING FORGING AT 4:00 P.M. HE HOPES THAT THIS IS NOT A REPEAT OF THE GASSING INCIDENT IN MAY. HE SPOKE REGARDING THE DECERTIFICATION OF REPORTERS AT THE STATE JOURNAL.

MR. WIENER ASKED R. ERIC REICKEL, DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT TO GIVE AN UPDATE ON THE REMOVAL OF TREES AND TREE LIMBS.

MR. REICKEL SAID THAT THE WORST HAZARDS AFFECTING PROPERTY AND RIGHT-OF-WAY THROUGHOUT THE CITY HAVE BEEN CLEANED UP THERE ARE STILL TREES AND TREE LIMBS BEING PICKED UP. THEY HAVE REMOVED 2,500 PILES OF BRUSH TO DATE. IN A CITY OF 127,000 RESIDENTS, ESPECIALLY ONE THAT IS A TREE CITY, THIS CLEANUP WILL TAKE A CERTAIN AMOUNT OF TIME AND PATIENCE. HE DISPLAYED A MAP OF THE CITY SHOWING AREAS THAT HAVE ALREADY BEEN CLEANED UP, AND THE PROGRESSION OF THE CLEANUP EFFORT. HE EXPLAINED THAT THE AREAS WITH THE MOST SEVERE DAMAGE ARE IN THE OLDER PARTS OF THE CITY ON THE NORTH SIDE. THEY HAVE HIRED A CONTRACTOR TO ASSIST THEM WITH THE CLEANUP. THE CONTRACTOR IS TAKING THE WEST SIDE AND WORKING FROM NORTH TO SOUTH AND THE CITY'S CREWS ARE TAKING THE EAST SIDE AND WORKING NORTH TO SOUTH. HE ASKED RESIDENTS WHO HAVE LIMBS AT THE CURB TO ASSIST THE CLEANUP EFFORT BY PLACING THEIR LIMBS WITH THE BUTT END OF THE TRUNK PARALLEL TO THE CURB AND GOING WITH TRAFFIC, SO AS TO MAKE IT



REVIEWED THE LOCATION, CHARACTER AND EXTENT OF THIS PROPOSAL PURSUANT TO ACT 285 OF 1931, AS AMENDED, AND FOUND THAT:

- ▶ 1. VACATING THAT PORTION OF THE ROW WOULD SERVE A PUBLIC PURPOSE AND BE IN THE PUBLIC INTEREST,
- ▶ 2. THE EXISTING STREET TREES ARE NO LONGER APPROPRIATELY LOCATED, AND SHOULD BE RELOCATED DURING CONSTRUCTION OF THE NEW SIDEWALK,
- ▶ 3. THERE IS A CONTINUING NEED IN THE ROW FOR EXISTING UTILITIES,
- ▶ 4. THE SITE PLAN PROVIDES INSUFFICIENT ROOM FOR PEDESTRIAN MOVEMENT IN FRONT OF THE STAIRWAY AREA,
- ▶ 5. THE GRAND AVENUE ROAD SURFACE HAS RECENTLY BEEN REPAVED, INCLUDING NEW CURB AND GUTTER,
- ▶ 6. THE LEFT LANE OF GRAND AVENUE HAS A CUMBERSOME DUAL FUNCTION OF PROVIDING ON-STREET PARKING AND A LEFT-TURN LANE,
- ▶ 7. CATA, WHICH IS CONSTRUCTING ITS PROPOSED IMPROVEMENTS WITHIN THE GRAND AVENUE ROW, SHOULD HAVE THE RESPONSIBILITY AND LIABILITY FOR ITS IMPROVEMENTS IN THE SUBJECT AREA; AND

WHEREAS, THE BOARD VOTED UNANIMOUSLY (7-0) TO RECOMMEND APPROVAL OF THE REQUEST FOR THE REDUCTION OF THE ROW (POSSIBLY THROUGH AN EASEMENT FOR THE LIFE OF THE CTC PROJECT), PROVIDED THAT:

- ▶ 1. THE EXISTING TREES BE RELOCATED,
- ▶ 2. THE UTILITIES ARE UNDISTURBED, OR RELOCATED AT THE APPLICANT'S EXPENSE, AND
- ▶ 3. A BUMP-OUT BE INSTALLED ON THE WEST SIDE OF GRAND AVENUE TO WIDEN THE SIDEWALK IN A MANNER WHICH IS GENERALLY PARALLEL TO THE NEW WALL, AND WHICH IS DESIGNED TO PROVIDE FOR PEDESTRIAN SAFETY; AND

WHEREAS, NO ONE SPOKE AGAINST THE PROPOSAL AT THIS SEPTEMBER 3 PLANNING BOARD MEETING; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING HAS REVIEWED THE REPORT AND RECOMMENDATION OF THE PLANNING BOARD AND CONCURS THERewith;

NOW, THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY VACATES THE WESTERNMOST FIFTEEN FEET OF THE S. GRAND AVENUE ROW, 400 BLOCK, IN THE CITY OF LANSING, SAID VACATED STREET BEING MORE PARTICULARLY DESCRIBED AS:

THAT PART OF BLOCK 135, PLAT OF THE TOWN OF MICHIGAN (NOW CITY OF LANSING), BEING SECTION 16; SOUTH PART OF 9 AND N 1/2 OF 21, IN T4N, R2W, INGHAM COUNTY, STATE OF MICHIGAN, RECORDED IN LIBER 2 OF PLATS ON PAGES 36, 37, AND 38, BEGINNING AT THE NORTHEAST

CORNER OF LOT 1, THENCE S 89° 57' 50" E 15 FEET, THENCE S 00° 00' 00" W 396.00 FEET; THENCE N 89° 57' 50" W 15 FEET; THENCE N 00° 00' 00" E TO THE POINT OF BEGINNING,

BUT RESERVING, HOWEVER, UNTO THE CITY OF LANSING AN EASEMENT UNDER, ACROSS, ABOVE AND WITHIN THE RIGHT OF WAY OF SAID VACATED STREET FOR UTILITY PURPOSES, INCLUDING THE RIGHT OF INGRESS AND EGRESS AT ALL TIMES FOR PUBLIC AND PRIVATE UTILITY AGENTS AND EMPLOYEES TO USE THE VACATED STREET, OR SO MUCH OF IT AS MAY BE NECESSARY, FOR THE INSTALLATION, MAINTENANCE, REPAIR, OR REMOVAL OF UTILITIES, AND FURTHER INCLUDING THAT EXCEPT FOR EXISTING IMPROVEMENTS, NO STRUCTURE OR FOUNDATION SHALL BE CONSTRUCTED UNDER, ACROSS, ABOVE, OR WITHIN SAID RESERVED EASEMENT.

BE IT FURTHER RESOLVED, THAT THE CITY OF LANSING, INCLUDING ITS BOARD OF WATER AND LIGHT, SHALL HAVE THE RIGHT TO REPAIR, REPLACE, OR MAINTAIN ITS IMPROVEMENTS AND SHALL BE HELD HARMLESS FROM ANY RESPONSIBILITY FOR ANY RESTORATION, REPAIR OR REPLACEMENT OF ANY IMPROVEMENTS INSTALLED WITHIN SAID VACATED RIGHT-OF-WAY BY CATA, EVEN IF SUCH RESTORATION, REPAIR OR REPLACEMENT IS NECESSITATED BY THE REPAIR, REPLACEMENT OR MAINTENANCE OF THE UTILITIES WITHIN SAID VACATED ROW.

BE IT FINALLY RESOLVED, THE CITY CLERK, WITHIN 30 DAYS HEREAFTER, SHALL FORWARD CERTIFIED COPIES OF THIS RESOLUTION TO THE INGHAM COUNTY REGISTER OF DEEDS FOR RECORDING, AND UPON RETURN, TRANSMIT A COPY OF THE RECORDED RESOLUTION TO THE MICHIGAN DEPARTMENT OF CONSUMERS AND INDUSTRY SERVICES, SUBDIVISION CONTROL UNIT, AND TO THE PLANNING AND ASSESSOR'S OFFICES.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### **RESOLUTION #621**

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

SLU-9-97

300 FRANDOR

DEVELOPMENT WITHIN THE FLOODPLAIN

WHEREAS, LANSING RETAIL CENTER JOINT VENTURE, 300 FRANDOR, HAS REQUESTED A SPECIAL LAND USE (SLU-9-97) TO UPDATE AND RENOVATE THE 35.81 ACRES OF THE FRANDOR SHOPPING CENTER, WHICH INCLUDES THE REMOVAL OF SOME OF THE EXISTING BUILDINGS AND NEW BUILDINGS CONSTRUCTED WITHIN THE 100-YEAR FLOODPLAIN OF THE RED CEDAR RIVER, AND

WHEREAS, SECTION 1288.06(A) OF THE ZONING CODE REQUIRES A SPECIAL LAND USE PERMIT FOR ANY DEVELOPMENT OVER A HALF ACRE IN SIZE IN THE 100-YEAR FLOODPLAIN WITH CONCURRENCE BY CITY COUNCIL BUT DOES NOT REQUIRE A PUBLIC HEARING BEFORE CITY COUNCIL, AND



QUICKER AND EASIER FOR THE CREWS TO LOAD THEM INTO THEIR TRUCKS. ADDITIONALLY, IT IS BETTER FOR RESIDENTS TO LEAVE THE LIMBS WHOLE. CUTTING THEM DOWN INTO 2-3 FOOT SECTIONS SLOWS THE PROCESS. HE URGED RESIDENTS TO AVOID PARKING AT THE CURB WHICH PREVENTS THE CREWS FROM BEING ABLE TO GET AT THE LIMBS. ONCE THEY HAVE GOTTEN THROUGH THE ENTIRE CITY, THEY WILL GO BACK AND DO A SECOND SWEEP. THIS IS A SLOW PROCESS, AND THEY ARE FIGHTING THE WEATHER, TRYING TO DO THIS WITH THE RESOURCES THAT HAVE BEEN ALLOCATED BY CITY COUNCIL.

COUNCILMEMBER ALLEN ASKED WHAT THE CITY WILL DO WITH THE WOOD CHIPS THAT ALL OF THE BRUSH HAS GENERATED.

MR. REICKEL SAID THAT THEY WOULD BE PLACED AT DIFFERENT ZONES THROUGHOUT THE CITY. WHEN THE CLEANUP IS FINISHED, THEY ESTIMATE THAT THEY WILL HAVE PROCESSED 2,000,000 POUNDS OF BRUSH.

COUNCILMEMBER BEAL ASKED IF THE PARKS AND RECREATION DEPARTMENT HAS CALLED ALL SEASONAL WORKERS BACK TO ASSIST WITH THE CLEANUP. MR. REICKEL RESPONDED IN THE NEGATIVE, SAYING THAT NOT ALL SEASONAL WORKERS HAVE BEEN CALLED BACK TO WORK, BUT SOME OF THEM HAVE. THEY ONLY HAVE A CERTAIN AMOUNT OF CHIPPERS TO BE MANNED. SHE APPEALED TO PARENTS TO CAUTION THEIR CHILDREN ABOUT DISTURBING THE BRUSH THAT IS PILED ALONG THE CURB AND ABOUT THE DANGER OF PLAYING IN AND AROUND IT. SHE ASKED IF THE LEAF PICKUP SCHEDULE WILL BE EXTENDED DUE TO THE UNSEASONABLE WEATHER. MR. WIENER ANNOUNCED THAT LEAF PICKUP WILL BE EXTENDED TO DECEMBER 15, 1997.

COUNCILMEMBER BENAVIDES REPORTED THAT HE HAS BEEN IN CONTACT WITH SOME PEOPLE WHO ARE STILL WITHOUT ELECTRICITY. A TREE FELL ON THEIR HOUSE AND RIPPED ALL OF THEIR ELECTRICAL WIRING OUT. THESE PEOPLE MUST HIRE CONTRACTORS TO DO THE JOB, BUT ARE UNABLE TO GET A CONTRACTOR TO SHOW UP. HE ASKED IF THE ADMINISTRATION CAN PROVIDE THEM WITH ANY ASSISTANCE OR INFORMATION.

#### ► SPECIAL CEREMONIES

A. MR. WIENER, ALONG WITH COUNCIL PRESIDENT BEAL PRESENTED GIFTS FROM THE MAYOR AND CITY COUNCILMEMBERS TO REPRESENTATIVES OF THE U.S. MARINE CORP. COMMENCING THE KICK-OFF OF THE TOYS FOR TOTS CAMPAIGN FOR 1997. THE MARINES REPORTED THAT THEIR CAMPAIGN COLLECTED OVER 60,000 TOYS LAST YEAR AND OVER \$50,000 IN CASH DONATIONS. THE NUMBER OF DONATIONS INCREASE EVERY YEAR. THEIR STAFF, HOWEVER, DOES NOT. THEY NEED PEOPLE TO VOLUNTEER THEIR TIME TO HELP WITH THE PROJECT. FAMILIES IN NEED OF HELP CAN VOLUNTEER THEIR TIME TOO. PEOPLE INTERESTED IN VOLUNTEERING CAN CALL 487-2992, 487-2993, 487-2994, 487-2995, OR THEIR HOT LINE AT 483-9215.

B. COUNCILMEMBER JONES INTRODUCED MIKE TILLMAN AND KAREN O'BRIEN OF THE RECYCLING COMMITTEE. AND PRESENTED THEM WITH A TRIBUTE PROCLAIMING SATURDAY, NOVEMBER 15, 1997, AS AMERICA RECYCLES DAY IN LANSING. LANSING HAS ONE OF THE FIRST CURB SIDE RECYCLING PROGRAMS IN THE COUNTRY THAT IS MUNICIPALLY OPERATED. MR. TILLMAN AND MS. O'BRIEN ANNOUNCED THAT

THIS SATURDAY AT THE RECYCLING TRANSFER STATION ON SOUTH STREET, THERE WILL BE A SPECIAL COLLECTION THAT WILL ACCEPT MIXED PAPER, JUNK MAIL, CORRUGATED CARD BOARD. MS. O'BRIEN SAID THAT ON NOVEMBER 15TH, 41 STATES ACROSS THE COUNTRY WILL PROMOTE AMERICA RECYCLES DAY.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### ► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF Z-17-97; 1060 N. CEDAR ST., PETITION FOR REZONING FROM "C" RESIDENTIAL TO "H" LIGHT INDUSTRIAL DISTRICT FILED BY REJINALDO GALLEGOS TO ALLOW HIM TO PARK HIS COMMERCIAL VEHICLES AT HIS RESIDENCE

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF Z-18-97, VACANT PROPERTY ON COLLINS, PETITION FOR REZONING FROM "A" RESIDENTIAL AND "D-1" PROFESSIONAL OFFICE DISTRICTS TO "F" COMMERCIAL DISTRICT FILED BY GEORGE F. EYDE LFP AND LOUIS J. EYDE LFP FOR THE PURPOSE OF ASSEMBLING THE PROPERTIES FOR FUTURE COMMERCIAL USE

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

#### ► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

MICHAEL STURLEY OF 1744 WILLOWBROOK, VICE PRESIDENT OF THE TRI-COUNTY COMMUNITY MENTAL HEALTH AGENCY SAID THAT HE IS HERE TO STATE HIS SUPPORT FOR THE PASSAGE OF THEIR SPECIAL LAND USE.

### **LEGISLATIVE MATTERS RESOLUTIONS**

#### RESOLUTION #614

BY COUNCILMEMBER HOWARD JONES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, EACH YEAR, LANSING RESIDENTS GENERATE OVER 100 THOUSAND TONS OF TRASH WITH EVERY LANSING RESIDENT CONTRIBUTING AN AVERAGE OF 4.3 POUNDS OF TRASH EACH DAY WHILE ONLY RECYCLING 0.20 POUNDS OF RECYCLABLE MATERIALS PER DAY; AND

WHEREAS, TO FOCUS THE NATION'S ATTENTION ON THE IMPORTANCE OF RECYCLING, BUSINESSES, INDUSTRIES, STATE AGENCIES, NONPROFIT ORGANIZATIONS, INDIVIDUALS, AND MUNICIPALITIES HAVE JOINED TOGETHER TO CELEBRATE "AMERICA RECYCLES DAY," AND ARE ENCOURAGING THEIR EMPLOYERS, STAFF, CUSTOMERS AND CITIZENS TO PLEDGE TO START OR INCREASE RECYCLING AND TO BUY RECYCLED PRODUCTS ON NOVEMBER 15; AND



WHEREAS, PARTICIPATING IN AMERICA RECYCLES DAY IS ONE WAY CITIZENS CAN HELP RAISE AWARENESS ABOUT THE NEED TO REDUCE WASTE BY REUSING, RECYCLING, AND BUYING RECYCLED PRODUCTS; AND

WHEREAS, THE CITY OF LANSING NEEDS TO SPREAD THE WORD ABOUT THE EXCELLENT PROGRAMS IT HAS ESTABLISHED, THE GROWTH OF MARKETS FOR RECYCLABLES, THE IMPORTANCE OF BUYING RECYCLED PRODUCTS, AND THE BENEFITS OF INVESTMENTS IN RECYCLING BY SMALL AND LARGE BUSINESSES; AND

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL THAT SATURDAY NOVEMBER 15, 1997 IS HEREBY PROCLAIMED AS AMERICA RECYCLES DAY IN LANSING; AND

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL ENCOURAGES BUSINESSES AND RESIDENTS TO PARTICIPATE IN A SPECIAL COLLECTION OF MIXED PAPER, JUNK MAIL AND CORRUGATED CARDBOARD FROM 9 AM TO 3 PM ON FRIDAY, NOVEMBER 14, AND FROM 9 AM TO NOON ON SATURDAY, NOVEMBER 15 AT THE LANSING TRANSFER STATION, 601 E. SOUTH STREET.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

TO SUSPEND THE RULES TO ALLOW FOR THE ADOPTION OF A COMMITTEE REPORT REGARDING SLU-03-97, 402 S. WASHINGTON AVE. AT THIS TIME ON THE AGENDA.

CARRIED UNANIMOUSLY

*EDITOR'S NOTE: PLEASE SEE THE PORTION OF THE PROCEEDINGS RESERVED FOR THE PASSAGE OF COMMITTEE REPORTS FOR THE TEXT OF THIS DOCUMENT*

#### **RESOLUTION #615**

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-7-96

S. SIDE OF W. MILLER ROAD,  
CITY OF LANSING PROPERTY - MARKETING FOR SALE

WHEREAS, THE CITY OF LANSING PURCHASED PARCEL 3305-07-126-022 ON MILLER ROAD ON MAY 30, 1974 FOR THE PURPOSE OF DEVELOPING A SOUTH END FIRE STATION; AND

WHEREAS, THE PROPOSED PUBLIC PURPOSE OF A SOUTH END FIRE STATION IS NO LONGER INTENDED FOR THIS SITE; AND

WHEREAS, THE ONLY CITY DEPARTMENT TO HAVE A PROPOSED PUBLIC USE FOR THIS PROPERTY IS THE BOARD OF WATER AND LIGHT FOR AN ADDITIONAL WELL SITE LOCATION; AND

WHEREAS, THE PLANNING BOARD FOUND,, BASED ON TESTIMONY AND EVIDENCE, THAT THE PUBLIC PURPOSE OF

DEVELOPING BOARD OF WATER AND LIGHT IS COMPATIBLE WITH THE SALE OF THIS PARCEL; AND

WHEREAS, THE LANSING PLANNING BOARD AT THEIR JUNE 18, 1996 MEETING, VOTED UNANIMOUSLY (6 AYES - 0 NAYS) TO RECOMMEND APPROVAL OF THE SALE OF PARCEL 3305-07-126-022 ON W. MILLER ROAD WITH THREE (3) CONDITIONS:

- ▶ 1. THAT THE REAR PORTION OF THE PROPERTY (APPROX. TWO ACRES) DESIGNATED BY THE BOARD OF WATER AND LIGHT FOR A NEW WELL SITE, PLUS AN ACCESS EASEMENT, BE RESERVED,
- ▶ 2. THAT THE PROPERTY FOR SALE BE REZONED BY THE CITY TO A DISTRICT THAT WOULD FACILITATE ITS DEVELOPMENT FOR INDUSTRIAL/WHOLESALE PURPOSES AS IDENTIFIED IN THE SOUTHWEST AREA COMPREHENSIVE PLAN,
- ▶ 3. THAT THE SALE PROCEEDS BE UTILIZED, FIRST TO REIMBURSE THE CITY FOR COSTS ASSOCIATED WITH PREPARING THE PROPERTY FOR SALE, AND SECOND, TO PAY THE INFRASTRUCTURE ACCOUNT PER COUNCIL POLICY FOR IMPROVING THE PORTION OF THE W. MILLER ROAD ROW ADJACENT TO THE SALE PROPERTY FROM CLASS B TO CLASS A; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING OF CITY COUNCIL HAS REVIEWED THE REPORT OF THE PLANNING BOARD;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVES ACT-7-96, AND THE MARKETING FOR SALE OF PARCEL 3305-07-126-022 ON W. MILLER ROAD.

BE IT FINALLY RESOLVED, THAT THE ADMINISTRATION SHALL NOT COMPLETE THE SALE OF SAID PROPERTY WITHOUT FIRST OBTAINING FINAL CITY COUNCIL APPROVAL AND SHALL PROVIDE IN ANY PRELIMINARY SALE DOCUMENT THAT THE SAME SHALL NOT BE BINDING ON THE SELLER UNTIL AND UNLESS THE CITY COUNCIL, BY FINAL ACTION AND RESOLUTION, APPROVES THE SALE.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### **RESOLUTION #616**

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE BOARD OF WATER AND LIGHT (BOARD OF WATER & LIGHT) ON JANUARY 28, 1997 PASSED RESOLUTION 97-1-7 DECLARING A CERTAIN PARCEL OF PROPERTY LOCATED AT 4323 WEST SAGINAW, DELTA TOWNSHIP, MICHIGAN, TO BE SURPLUS REAL PROPERTY NOT REQUIRED FOR BOARD OF WATER & LIGHT OPERATIONS; AND

WHEREAS, THE BOARD OF WATER & LIGHT HAS NEGOTIATED A CASH SALE OF SAID PROPERTY TO BRUCE A. SIMON AS CONTAINED IN A CERTAIN JUNE 11, 1997



PURCHASE AGREEMENT FOR A SUM OF \$75,000.00; AND

WHEREAS, IN ACCORDANCE WITH THE LANSING CITY CHARTER AND THE LANSING CODE OF ORDINANCES, INFORMATION REGARDING THE PROPOSED PURCHASE AND SALE HAS BEEN ON FILE WITH THE CITY CLERK FOR THE REQUIRED 30 DAYS AND A PUBLIC HEARING WAS THEREON HELD AUGUST 4, 1997 AT THE REGULARLY SCHEDULED MEETING; AND

WHEREAS, PURSUANT TO LANSING CITY CHARTER, THE BOARD OF WATER & LIGHT IS REQUESTING THE CITY COUNCIL CONCUR THAT THE PROPERTY IS SURPLUS AND APPROVE ITS SALE PURSUANT TO SAID PURCHASE AGREEMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL CONCURS THAT THE FOLLOWING DESCRIBED PARCEL OF PROPERTY COMMONLY KNOWN AS 4323 WEST SAGINAW, DELTA TOWNSHIP, MICHIGAN, IS NO LONGER REQUIRED FOR BOARD OF WATER AND LIGHT OPERATION:

*LOTS 9 AND 10 IN MEADOWLAWN SUBDIVISION IN NE 1/4 OF SECTION 13, T4N, R3W, CHARTER TOWNSHIP OF DELTA, EATON COUNTY, STATE OF MICHIGAN, SUBJECT TO THE RIGHTS OF ALL EASEMENTS AND RESTRICTIONS OF RECORD.*

BE IT FURTHER RESOLVED THE LANSING CITY COUNCIL APPROVES THE SALE OF SAID PROPERTY TO BRUCE A. SIMON FOR THE SUM OF \$75,000.00 UNDER THE TERMS OF THE JUNE 11, 1997 PURCHASE AGREEMENT, EXCEPT THAT THIS APPROVAL IS NOT APPROVAL OF THE OPTION PROVISION CONTAINED IN THE PURCHASE AGREEMENT BECAUSE THIS RESOLUTION IS NOT THE DETERMINATION REQUIRED BY CHARTER THAT THE OPTION PROPERTY IS SURPLUS TO BOARD OF WATER & LIGHT OPERATIONS.

BE IT FURTHER RESOLVED UPON CLOSING OF THE SALE OF SAID PROPERTY, ALL THE NET PROCEEDS FROM THE SALE MAY BE RETAINED BY THE BOARD OF WATER & LIGHT FOR ITS OPERATION.

BE IT FINALLY RESOLVED THE MAYOR, ON BEHALF OF THE CITY OF LANSING, BY ITS BOARD OF WATER AND LIGHT, IS AUTHORIZED TO SIGN AND EXECUTE THE DEED TO TRANSFER THE PROPERTY, SUBJECT TO PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #617

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

SLU-6-97

PROPOSED CHURCH, 1700 BLOCK OF W. JOLLY ROAD

WHEREAS, MICHAEL MARKEY REPRESENTING THE OWNER PASTOR RICHARD MURCHISON OF NEW COMMUNITY TABERNACLE CHURCH HAS REQUESTED TO BUILD A 4,800 SQUARE FOOT CHURCH ON 2.3 ACRES OF VACANT LAND

BETWEEN 1732 AND 1716 W. JOLLY ROAD FOR APPROXIMATELY 80 MEMBERS (SLU-6-97) AND THE PROPERTY IS ZONED "A" RESIDENTIAL WHERE CHURCHES ARE PERMITTED SUBJECT TO OBTAINING A SPECIAL LAND USE PERMIT, AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING FOR THE SPECIAL LAND USE PERMIT ON SEPTEMBER 3, WHERE THE PETITIONER MICHAEL MARKEY SPOKE IN SUPPORT OF THE PETITION, AND NO ONE SPOKE IN OPPOSITION, AND

WHEREAS, THE PLANNING BOARD REVIEWED THE PETITION AND ON SEPTEMBER 16, 1997 UNANIMOUSLY (8-0) RECOMMENDED APPROVAL OF THE PETITION SUBJECT TO SITE PLAN CONDITIONS WHICH INCLUDE A LANDSCAPE PLAN THAT SHOWS SCREENING OF THE PARKING LOTS FROM ADJACENT RESIDENTIAL PROPERTIES WHICH IS A REQUIREMENT OF THE ZONING CODE, AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON THE REQUEST OF THE NEW COMMUNITY TABERNACLE CHURCH FOR A SPECIAL LAND USE PERMIT ON OCTOBER 27, 1997, AND

WHEREAS, THE DEVELOPMENT AND PLANNING COMMITTEE OF CITY COUNCIL HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH,

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVES THE SPECIAL LAND USE REQUEST (SLU-6-97) BY MICHAEL MARKEY REPRESENTING NEW COMMUNITY TABERNACLE CHURCH TO CONSTRUCT A 4,800 SQUARE FOOT CHURCH ON 2.3 ACRES OF VACANT LAND BETWEEN 1732 AND 1716 W. JOLLY ROAD FOR APPROXIMATELY 80 MEMBERS.

BE IT FINALLY RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

- ▶ THE PROPOSED SPECIAL LAND USE IS HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND SURROUNDING USES WHICH ARE PREDOMINANTLY SINGLE FAMILY HOMES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTIES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT BE HAZARDOUS TO ADJACENT PROPERTIES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT PLACE ANY DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITIES.
- ▶ THE PROPOSED SPECIAL LAND USE IS CONSISTENT WITH THE INTENT OF THE ZONING CODE AND OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #618

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF



## THE CITY OF LANSING

## SLU-8-97

800 BLOCK OF EAST JOLLY ROAD, SOUTH SIDE  
GOVERNMENTAL USE OF "A" RESIDENTIAL PROPERTY

WHEREAS, THE COMMUNITY MENTAL HEALTH BOARD OF CLINTON, EATON AND INGHAM COUNTIES (CEI-CMHB), HAS REQUESTED A SPECIAL LAND USE FOR A GOVERNMENTAL ENTITY IN THE "A" RESIDENTIAL DISTRICT FOR A 73,000 SQUARE FOOT OFFICE BUILDING THAT WILL HOUSE A COMPREHENSIVE COMMUNITY MENTAL HEALTH SERVICES CENTER, AND

WHEREAS, THE CEI-CMHB HAS PROVIDED SERVICES AT VARIOUS LOCATIONS THROUGHOUT LANSING CONTINUOUSLY SINCE 1969 AND IS DESIROUS OF CONSOLIDATING THEM INTO A SINGLE LOCATION, AND

WHEREAS, THE SERVICES TO BE PERFORMED AT THE NEW LOCATION INCLUDE COUNSELING, CASE MANAGEMENT, MEDICATION CLINICS, A 16-BED ADULT FOSTER CARE HOME (CURRENTLY LOCATED AT 407 W. GREENLAWN), AND ADMINISTRATION, AND

WHEREAS, THE APPLICANT PROPOSES THAT SITE IMPROVEMENTS WILL INCLUDE A THREE LEVEL OFFICE STRUCTURE, 338 PARKING SPACES AND APPROPRIATE LANDSCAPING AND BUFFERING, AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING ON AUGUST 5, 1997 AT WHICH TIME THE APPLICANT AND ARCHITECT SPOKE FOR THE REQUEST, A NEIGHBORING PROPERTY OWNER SPOKE HAVING QUESTIONS ABOUT THE REQUEST AND NO ONE APPEARED IN OPPOSITION TO THE REQUEST, AND

WHEREAS, THE PLANNING BOARD HAS REVIEWED THE PETITION, AND AT THEIR MEETING ON SEPTEMBER 17, 1997, VOTED UNANIMOUSLY (8-0) TO RECOMMEND APPROVAL OF THE REQUEST BY THE CEI-CMHB, FOR A SPECIAL LAND USE, AND

WHEREAS, CITY COUNCIL HELD A PUBLIC HEARING ON THE CEI-CMHB REQUEST FOR THE SPECIAL LAND USE ON OCTOBER 27, 1997, AND

WHEREAS, THE DEVELOPMENT AND PLANNING COMMITTEE OF CITY COUNCIL HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH,

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVES THE REQUEST BY THE CEI-CMHB, FOR A SPECIAL LAND USE (SLU-08-97) FOR A GOVERNMENTAL ENTITY IN THE "A" RESIDENTIAL DISTRICT WITH THE FOLLOWING CONDITIONS:

- ▶ 1. LANDSCAPE ISLANDS BE PROVIDED WITHIN THE PARKING LOT TO REDUCE THE SCALE OF THE PAVED AREA.
- ▶ 2. THE SPECIAL LAND USE PERMIT FOR THE BUILDING'S USE, INCLUDING THE 16 BED ADULT FOSTER CARE FACILITY, AS PROPOSED IS LIMITED TO A GOVERNMENTAL ENTITY.
- ▶ 3. ACCESS BARRIERS BE PROVIDED ALONG THE SOUTH

AND EAST PROPERTY LINES TO DETER PEDESTRIAN TRAFFIC ACROSS THE SITE.

BE IT FURTHER RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

- ▶ 1. THE PROPOSED SPECIAL LAND USE IS DESIGNED TO BE CONSTRUCTED AND MAINTAINED IN A MANNER HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND THE SURROUNDING USE.
- ▶ 2. THE PROPOSED USE OF THE PROPERTY, INCLUDING THE 16 BED FOSTER CARE FACILITY WOULD BE COMPATIBLE WITH THE SURROUNDING AREA.
- ▶ 3. THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTY. ADJACENT RESIDENTS AND THE NEIGHBORHOOD IN WHICH THE PROPOSAL IS LOCATED IN APPEAR TO BE SUPPORTIVE IF THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD IS PROTECTED.
- ▶ 4. THE PROPOSED USE OF THE PROPERTY WOULD APPEAR TO NEITHER BE AN IMPROVEMENT OR DETRIMENT TO THE USE AND CHARACTER OF THE PROPERTY.
- ▶ 5. THE PROPOSAL FOR THE SUBJECT PROPERTY SHOULD NOT HAVE A DIRECT DETRIMENTAL EFFECT TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS OR PROPERTY THROUGH THE EXCESSIVE PRODUCTION OF TRAFFIC, SMOKE, ODOR, FUMES OR GLARE. THERE MAY BE A MINOR IMPACT CAUSED BY TRAFFIC.
- ▶ 6. THIS PROPERTY IS ADEQUATELY SERVED BY ESSENTIAL PUBLIC SERVICES.
- ▶ 7. THE PROPOSED SPECIAL LAND USE DOES NOT APPEAR TO PLACE DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITY.
- ▶ 8. THE SOUTHEAST AREA PLAN DESIGNATES THIS AREA FOR LOW-MODERATE DENSITY RESIDENTIAL DEVELOPMENT (8-14 UNITS/ACRE). THE ZONING OF THE PROPERTY IS PROPOSED TO REMAIN UNCHANGED.
- ▶ 9. THE SPECIAL LAND USE PERMIT MEETS THE DIMENSIONAL REQUIREMENTS OF THE ZONING CODE.

COUNCILMEMBER BAUER MADE A DISCLOSURE STATEMENT THAT SHE WORKS AT THE INGHAM REGIONAL MEDICAL CENTER OFFICES THAT WILL BE VACATED BY THIS PROJECT. THIS FACILITY COULD POTENTIALLY BECOME THE LOCATION FOR HER NEW OFFICES A FEW YEARS DOWN THE ROAD. SHE HAS BEEN ADVISED THAT THIS DOES NOT REPRESENT A CONFLICT OF INTEREST SITUATION, AND WILL THEREFORE BE VOTING ON THE RESOLUTION.

COUNCILMEMBER BENAVIDES MADE A DISCLOSURE STATEMENT THAT CRISTO REY COMMUNITY CENTER CONTRACTS WITH THE COMMUNITY MENTAL HEALTH BOARD. ALL OF THEIR CONTRACTS ARE APPROVED BY THE BOARD OF DIRECTORS, AND AS HIS SALARY DOES NOT COME FROM MENTAL HEALTH FUNDING, THIS DOES NOT REPRESENT A CONFLICT OF INTEREST SITUATION FOR HIM. HE WILL THEREFORE BE



VOTING ON THE RESOLUTION.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

TO RECONSIDER THE VOTE ON THE FORGOING RESOLUTION

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION APPROVING SLU-08-97, 800 BLOCK OF E. JOLLY RD.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER ALLEN DISSENTING)

**RESOLUTION #619**

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

SLU-10-97  
5304 Wise Road  
PROPOSED CHURCH ADDITION

WHEREAS, THE LANSING CHURCH OF GOD IN CHRIST HAS REQUESTED A SPECIAL LAND USE PERMIT TO BUILD AN ADDITION ONTO THE SOUTH SIDE OF THE CHURCH AT 5304 WISE ROAD (SLU-10-97) AND A SPECIAL LAND USE PERMIT IS REQUIRED FOR THE PROPOSED DEVELOPMENT SINCE THE ADDITIONAL TEN ACRES TO THE SOUTH TO BE INCORPORATED INTO THE OVERALL CHURCH PROPERTY WAS NOT PART OF THE ORIGINAL SITE, AND

WHEREAS, THE PLANNING BOARD HELD A PUBLIC HEARING FOR THE SPECIAL LAND USE PERMIT ON SEPTEMBER 3, 1997, WHERE THE PETITIONER MARSHALL HUDSON SPOKE IN SUPPORT OF THE PETITION, AND NO ONE SPOKE IN OPPOSITION, AND

WHEREAS, THE PLANNING BOARD REVIEWED THE PETITION AND ON SEPTEMBER 16, 1997 UNANIMOUSLY (8-0) RECOMMENDED APPROVAL OF THE PETITION SUBJECT TO SITE PLAN CONDITIONS WHICH INCLUDE A LANDSCAPE PLAN THAT SHOWS SCREENING OF ITS PARKING LOTS FROM ADJACENT RESIDENTIAL PROPERTIES WHICH IS A REQUIREMENT OF THE ZONING CODE, AND

WHEREAS, THE CITY COUNCIL HELD A PUBLIC HEARING ON THE REQUEST OF THE LANSING CHURCH OF GOD IN CHRIST FOR A SPECIAL LAND USE PERMIT ON OCTOBER 27, 1997, AND

WHEREAS, THE DEVELOPMENT AND PLANNING COMMITTEE OF CITY COUNCIL HAS REVIEWED THE REPORT OF THE PLANNING BOARD AND CONCURS THERewith,

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY

COUNCIL HEREBY APPROVES THE SPECIAL LAND USE REQUEST (SLU-10-97) BY LANSING CHURCH OF GOD IN CHRIST TO CONSTRUCT AN 8,700 SQUARE FOOT ADDITION ONTO THE SOUTH SIDE OF THEIR CHURCH AT 5304 WISE ROAD.

BE IT FINALLY RESOLVED THAT IN GRANTING THIS REQUEST, THE CITY COUNCIL DETERMINES THE FOLLOWING:

- ▶ THE PROPOSED SPECIAL LAND USE IS HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND SURROUNDING USES WHICH INCLUDE SINGLE FAMILY HOMES, A SCHOOL AND PARK.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTIES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT BE HAZARDOUS TO ADJACENT PROPERTIES.
- ▶ THE PROPOSED SPECIAL LAND USE WILL NOT PLACE ANY DEMANDS ON PUBLIC SERVICES AND FACILITIES IN EXCESS OF CURRENT CAPACITIES.
- ▶ THE PROPOSED SPECIAL LAND USE IS CONSISTENT WITH THE INTENT OF THE ZONING CODE AND OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #620**

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

ACT-7-97  
400 BLK S. GRAND AVENUE - CATA GROUND  
TRANSPORTATION CENTER  
ROW REDUCTION

WHEREAS, ON JUNE 19, 1995, THE CITY COUNCIL APPROVED ACT-15-95 TO ACQUIRE, CONSOLIDATE, AND SELL THE PROPERTY IN THE 400 BLOCK OF GRAND AVENUE FOR THE CAPITAL AREA TRANSPORTATION AUTHORITY (CATA) TRANSPORTATION CENTER PROJECT; AND

WHEREAS, AS PART OF SAID PROJECT, CATA HAS CONSTRUCTED A LANDSCAPED RETAINING WALL AND ACCESS TO THE CATA TRANSPORTATION CENTER (CTC), WHICH ARE LOCATED WITHIN THE GRAND AVENUE ROW, AND HAS REQUESTED THE CITY VACATE A PORTION OF THE S. GRAND AVENUE ROW (400 BLOCK, WEST SIDE), APPROXIMATELY 15 FEET IN WIDTH, 396 FEET IN LENGTH, TO PROVIDE FOR CATA OWNERSHIP OF THE LANDSCAPED RETAINING WALL AND ACCESS TO THE CTC; AND

WHEREAS, THE USE OF THE ROW WAS NOT INCLUDED IN THE ACT-15-95 PROPOSAL, AND THEREFORE REQUIRES CONSIDERATION AS A SEPARATE ITEM; AND

WHEREAS, ON SEPTEMBER 3, 1997, THE PLANNING BOARD



WHEREAS, THE PLANNING BOARD IS NOT REQUIRED TO HOLD A PUBLIC HEARING ON THIS MATTER, BUT REVIEWED THIS MATTER IN ACCORDANCE WITH CHAPTER 1288 OF THE LANSING CODE OF ORDINANCES AND AT THEIR MEETING ON SEPTEMBER 16, 1997 VOTED (7-0,1 ABSTENTION) TO RECOMMEND APPROVAL OF THE REQUEST BY THE LANSING RETAIL CENTER JOINT VENTURE, AND

WHEREAS, THE COMMITTEE ON PLANNING AND DEVELOPMENT HAS REVIEWED THE REQUEST AND THE REPORT OF THE PLANNING BOARD AND CONCURS THEREWITH,

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL HEREBY APPROVES THE SPECIAL LAND USE REQUEST (SLU-9-97) BY THE LANSING RETAIL CENTER JOINT VENTURE TO CONSTRUCT BUILDINGS, UTILITIES, AND NEW PAVEMENT AT THE FRANDOR SHOPPING CENTER, 3 00 FRANDOR, WITHIN THE 1 00-YEAR FLOODPLAIN OF THE RED CEDAR RIVER.

BE IT FINALLY RESOLVED THAT THE GRANTING OF THIS REQUEST DOES NOT ALTER THAT THE APPLICANT MUST OTHERWISE COMPLY WITH ALL LAWS AND REGULATIONS APPLICABLE TO THE PROJECT, INCLUDING BUT NOT LIMITED TO, THE REQUIREMENTS OF THE PUBLIC SERVICE DEPARTMENT, THE DEPARTMENT OF ENVIRONMENTAL QUALITY, THE BOARD OF ZONING APPEALS AND THE ZONING ORDINANCE.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

**RESOLUTION #622**

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS FORWARDED A REQUEST FROM THE MOVIMIENTO ESTUDIANTIL XICANO DE AZTIAN, CULTURAS DE LAS RAZA UNIDAS (MEXA, CRU) FOR A DONATION OF THE CITY OF LANSING SHOWMOBILE FOR THE THIRD ANNUAL DIA DE LOS MUERTOS MARCH AND STREET FESTIVAL ON NOVEMBER 1, 1997 AND

WHEREAS, THIS FAMILY ORIENTED, DRUG AND ALCOHOL FREE EVENT WILL DRAW COMMUNITY MEMBERS FROM THE GREATER LANSING AREA, THE STATE O MICHIGAN, AND FROM THE MIDWEST; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE REQUEST FROM THE MEXA,CRU; AND

BE IT FURTHER RESOLVED THE MAYOR AND THE FINANCE DEPARTMENT WILL MAKE THE APPROPRIATE STEPS TO PROCESS THIS REQUEST; AND

BE IT FINALLY RESOLVED THE RENTAL OF THE WILL BE CHARGED TO THE COMMUNITY PROMOTIONS ACCOUNT - 101-173901-742189-0.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #623**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON OCTOBER 30, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF LOIS GRAY, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3305-08-101-021-6; COMMONLY KNOWN AS 4717 PLEASANT GROVE ROAD, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3305-08-101-021-6 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF LOIS GRAY WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-08-101-021-6 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 330508-101-021-6 IS DENIED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #624**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON OCTOBER 30, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF DONALD AND BEULAH HEIN, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3305-05-431-461-5; COMMONLY KNOWN AS 947 HEIN AVENUE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3305-05-431-461-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF DONALD AND BEULAH HEIN WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-05-431-461-5 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH



construct an 8,700 square foot addition onto the south side of their church at 5304 Wise Road.

BE IT FINALLY RESOLVED that in granting this request, the City Council determines the following:

- ▶ The proposed special land use is harmonious with the character of adjacent property and surrounding uses which include single family homes, a school and park.
- ▶ The proposed special land use will not change the essential character of the surrounding property.
- ▶ The proposed special land use will not interfere with the general enjoyment of adjacent properties.
- ▶ The proposed special land use will not be hazardous to adjacent properties.
- ▶ The proposed special land use will not place any demands on public services and facilities in excess of current capacities.
- ▶ The proposed special land use is consistent with the intent of the zoning code and objectives of the current comprehensive plan.

By Councilmember Lilly

Carried unanimously

**RESOLUTION #620**  
**BY THE COMMITTEE ON DEVELOPMENT**  
**AND PLANNING**  
**RESOLVED BY THE CITY COUNCIL OF**  
**THE CITY OF LANSING**

ACT-7-97;

400 Blk S. Grand Avenue - CATA Ground Transportation Center ROW Reduction

WHEREAS, on June 19, 1995, the City Council approved Act-15-95 to acquire, consolidate, and sell the property in the 400 block of Grand Avenue for the Capital Area Transportation Authority (CATA) Transportation Center project; and

WHEREAS, as part of said project, CATA has constructed a landscaped retaining wall and access to the CATA Transportation Center (CTC), which are located within the Grand Avenue ROW, and has requested the City vacate a portion of the S. Grand Avenue ROW (400 block, west side), approximately 15 feet in width, 396 feet in length, to provide for CATA ownership of the landscaped retaining wall and access to the CTC; and

WHEREAS, the use of the ROW was not included in the Act-15-95 proposal, and therefore requires consideration as a separate item; and

WHEREAS, on September 3, 1997, the Planning Board reviewed the location, character and extent of this proposal pursuant to Act 285 of 1931, as amended, and found that:

- ▶ 1. vacating that portion of the ROW would serve a public purpose and be in the public interest,
- ▶ 2. the existing street trees are no longer appropriately located, and should be relocated during construction of the new sidewalk,
- ▶ 3. there is a continuing need in the ROW for existing utilities,
- ▶ 4. the site plan provides insufficient room for pedestrian movement in front of the stairway area,
- ▶ 5. the Grand Avenue road surface has recently been repaved, including new curb and gutter,
- ▶ 6. the left lane of Grand Avenue has a cumbersome dual function of providing on-street parking and a left-turn lane,
- ▶ 7. CATA, which is constructing its proposed improvements within the Grand Avenue ROW, should have the responsibility and liability for its improvements in the subject area; and

WHEREAS, the Board voted unanimously (7-0) to recommend approval of the request for the reduction of the ROW (possibly through an easement for the life of the CTC project), provided that:

- ▶ 1. the existing trees be relocated,
- ▶ 2. the utilities are undisturbed, or relocated at the applicant's expense, and
- ▶ 3. a bump-out be installed on the west side of Grand Avenue to widen the sidewalk in a manner which is generally parallel to the new wall, and which is designed to provide for pedestrian safety; and

WHEREAS, no one spoke against the proposal at this September 3 Planning Board meeting; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW, THEREFORE BE IT RESOLVED, the Lansing



City Council hereby vacates the westernmost fifteen feet of the S. Grand Avenue ROW, 400 Block, in the City of Lansing, said vacated street being more particularly described as:

that part of Block 135, Plat of the Town of Michigan (now City of Lansing), being Section 16; South part of 9 and N ½ of 21, in T4N, R2W, Ingham County, State of Michigan, recorded in Liber 2 of Plats on Pages 36, 37, and 38, beginning at the Northeast corner of Lot 1, thence S 89° 57' 50" E 15 feet, thence S 00° 00' 00" W 396.00 feet; thence N 89° 57' 50" W 15 feet; thence N 00° 00' 00" E to the point of beginning,

but reserving, however, unto the City of Lansing an easement under, across, above and within the right of way of said vacated street for utility purposes, including the right of ingress and egress at all times for public and private utility agents and employees to use the vacated street, or so much of it as may be necessary, for the installation, maintenance, repair, or removal of utilities, and further including that except for existing improvements, no structure or foundation shall be constructed under, across, above, or within said reserved easement.

BE IT FURTHER RESOLVED, that the City of Lansing, including its Board of Water and Light, shall have the right to repair, replace, or maintain its improvements and shall be held harmless from any responsibility for any restoration, repair or replacement of any improvements installed within said vacated right-of-way by CATA, even if such restoration, repair or replacement is necessitated by the repair, replacement or maintenance of the utilities within said vacated ROW.

BE IT FINALLY RESOLVED, the City Clerk, within 30 days hereafter, shall forward certified copies of this resolution to the Ingham County Register of Deeds for recording, and upon return, transmit a copy of the recorded resolution to the Michigan Department of Consumers and Industry Services, Subdivision Control Unit, and to the Planning and Assessor's Offices.

By Councilmember Lilly

Carried unanimously

#### **RESOLUTION #621**

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

SLU-9-97  
300 Frandor  
Development within the Floodplain

WHEREAS, Lansing Retail Center Joint Venture, 300 Frandor, has requested a Special Land Use (SLU-9-97) to update and renovate the 35.81 acres of the Frandor Shopping Center, which includes the removal of some of the existing buildings and new buildings constructed within the 100-year floodplain of the Red Cedar River, and

WHEREAS, Section 1288.06(a) of the Zoning Code requires a Special Land Use permit for any development over a half acre in size in the 100-year floodplain with concurrence by City Council but does not require a public hearing before City Council, and

WHEREAS, the Planning Board is not required to hold a public hearing on this matter, but reviewed this matter in accordance with Chapter 1288 of the Lansing Code of Ordinances and at their meeting on September 16, 1997 voted (7-0, 1 abstention) to recommend approval of the request by the Lansing Retail Center Joint Venture, and

WHEREAS, the Committee on Planning and Development has reviewed the request and the report of the Planning Board and concurs therewith,

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the Special Land Use request (SLU-9-97) by the Lansing Retail Center Joint Venture to construct buildings, utilities, and new pavement at the Frandor Shopping Center, 300 Frandor, within the 100-year floodplain of the Red Cedar River.

BE IT FINALLY RESOLVED that the granting of this request does not alter that the applicant must otherwise comply with all laws and regulations applicable to the project, including but not limited to, the requirements of the Public Service Department, the Department of Environmental Quality, the Board of Zoning Appeals and the Zoning Ordinance.

By Councilmember Lilly

Carried unanimously

#### **RESOLUTION #622**

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, the Mayor has forwarded a request from the Movimiento Estudiantil Xicano de Aztlan, Culturas de las Raza Unidas (MEXA, CRU) for a donation of the City of Lansing Showmobile for the third annual Dia de



RESPECT TO PARCEL No. 330505-431-461-5 IS DENIED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #625**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AU A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON OCTOBER 30, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF MARGARET HERP, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-08-352-051-5; COMMONLY KNOWN AS 906 STANLEY STREET, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-08-352-051-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF MARGARET HERP WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-08-352-051-5 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 330108-352-051-5 IS DENIED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #626**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON OCTOBER 30, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF LARRY PARKER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-10-180-062-1; COMMONLY KNOWN AS 1416 NEW YORK AVENUE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-10-180-062-1 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF LARRY PARKER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION

THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-10-180-062-1 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 330110-180-062-1 IS DENIED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #627**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON OCTOBER 30, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF STEVE CRUM, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3305-08-101-021-6; COMMONLY KNOWN AS 6229 GROVENBURG ROAD, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3305-08-101-021-6 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF STEVE CRUM WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3305-08-101-021-6 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 330508-101-021-6 IS DENIED.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

**RESOLUTION #628**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, A MEMBER OF COUNCIL STAFF HAS REQUESTED A WAIVER OF CITY COUNCIL PERSONNEL RULES REGARDING LONGEVITY COMPENSATION;

WHEREAS, THE PERSONNEL COMMITTEE HAS APPROVED SUCH A WAIVER;

WHEREAS, THE COUNCIL HAS RECEIVED THIS REQUEST AND DETERMINED IT HAS MERIT; AND

NOW THEREFORE, BE IT RESOLVED EFFECTIVE IMMEDIATELY, ARTICLE 15, SECTION D OF THE JANUARY



15TH, 1985 COUNCIL STAFF PERSONNEL RULES IS HEREBY AMENDED TO READ DECEMBER 31ST, IN EACH INSTANCE OCTOBER 1ST IS UTILIZED.

BY COUNCILMEMBER NOVAK

CARRIED UNANIMOUSLY

**RESOLUTION #629**

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED DULLES COPEDGE, 1912 HOLLY WAY TO THE PUBLIC SERVICES BOARD; AND

WHEREAS, THE COMMITTEE ON PUBLIC SERVICES HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF DULLES COPEDGE, 1912 HOLLY WAY, TO THE PUBLIC SERVICES BOARD FOR A TERM TO EXPIRE JUNE 30, 1998.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #630**

RESOLVED BY THE CITY COUNCIL FOR  
THE CITY OF LANSING

WHEREAS, THE STATE OF MICHIGAN WATER RESOURCES COMMISSION HAS ISSUED A WASTEWATER TREATMENT FACILITIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. MI 0023400 (THE 'NPDES PERMIT') REQUIRING THE CITY OF LANSING (THE 'CITY') TO CONSTRUCT CERTAIN COMBINED SEWER OVERFLOW CONTROL IMPROVEMENTS; AND

WHEREAS, ACT 320, PUBLIC ACTS OF MICHIGAN, 1927, AS AMENDED, REPEALED AND RECODIFIED BY ACT 451, PUBLIC ACTS OF MICHIGAN, 1994, AS AMENDED ('ACT 451') ENABLES A CITY TO ISSUE AND SELL BONDS TO FINANCE CONSTRUCTION OF IMPROVEMENTS REQUIRED BY A PERMIT ISSUED BY THE STATE OF MICHIGAN WATER RESOURCES COMMISSION; AND

WHEREAS, THE CITY COUNCIL OF THE CITY INTENDS TO CONSIDER AUTHORIZING THE ISSUANCE OF LIMITED TAX GENERAL OBLIGATION BONDS PURSUANT TO ACT 451 IN ONE OR MORE SERIES IN AN AGGREGATE AMOUNT NOT TO EXCEED 12 MILLION DOLLARS FOR THE PURPOSE OF FINANCING THE DESIGN AND CONSTRUCTION OF THE LANSING AVENUE SANITARY SEWAGE PUMPING STATION (THE 'IMPROVEMENTS'), INCLUDED IN PHASE U, SEGMENT 5, OF THE COMBINED SEWER OVERFLOW IMPROVEMENTS PROJECT PLAN REQUIRED BY THE NPDES PERMIT; AND

WHEREAS, NOTICE OF INTENT TO ISSUE BONDS MUST BE PUBLISHED AT LEAST FORTY-FIVE (45) DAYS BEFORE THE ISSUANCE OF THE SAME IN ORDER TO COMPLY WITH THE REQUIREMENTS OF SECTION 5(G) OF ACT 279, PUBLIC ACTS OF MICHIGAN, 1909, AS AMENDED; AND

WHEREAS, THE CITY MUST APPOINT BOND COUNSEL FOR THE ISSUANCE OF THE BONDS;

WHEREAS, THE CITY ATTORNEY HAS RECOMMENDED THE APPOINTMENT OF DYKEMA GOSSETT PLLC, OF LANSING, MICHIGAN, AS BOND COUNSEL FOR THESE PURPOSES.

NOW, THEREFORE, BE IT RESOLVED THAT DYKEMA GOSSETT, PLLC, OF LANSING, MICHIGAN, IS HEREBY APPOINTED AS BOND COUNSEL WITH RESPECT TO BOND MATTERS DESCRIBED IN THIS RESOLUTION.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**OTHER BUSINESS**

► PUBLIC COMMENT ON CITY RELATED MATTERS

CARMEN HAWKINS OF 303 N. PENNSYLVANIA AVE. SAID THAT SHE IS DEPENDANT ON THE PUBLIC TRANSPORTATION SYSTEM AND IS HAVING DIFFICULTY, IN THAT, THERE IS NOT TRANSPORTATION FROM PENNSYLVANIA TO STATE OF MICHIGAN COMPLEXES ON MARTIN LUTHER KING, JR. BLVD. AND TO A STATE OF MICHIGAN COMPLEX ON WAVERLY RD. SHE CANNOT GET TO THE OFFICES THAT SHE NEEDS TO GET TO IN ORDER TO PICK UP HER WELFARE CHECKS.

FRANK CURTIS "X", NO ADDRESS GIVEN, CONGRATULATED THE PARTICIPANTS AND THE WINNERS OF THE NOVEMBER 4, 1997, ODD YEAR CITY GENERAL ELECTION. HE MADE A COMPLAINT AGAINST A LOCAL RADIO STATION AND AGAINST LIQUOR CONTROL COMMISSIONER PHIL ARTHURHOLTZ.

DOUGLAS REED OF 112 W. HOLMES TALKED ABOUT A PROBLEM INVOLVING A JOINT DRIVE BETWEEN HIS HOME AND 118 W. HOLMES RD. THE NEW OWNER OF THE OTHER PROPERTY HAS PUT UP A PRIVACY FENCE THAT WOULD OBSTRUCT ACCESS BY EMERGENCY SERVICE VEHICLES.

THIS ISSUE WAS REFERRED TO THE MAYOR AND THE BUILDING SAFETY DEPARTMENT

CAROL WOOD OF 1018 W. LAPEER THANKED HER CAMPAIGN COMMITTEE AND EVERYONE WHO VOTED FOR HER IN THE NOVEMBER 4TH ELECTION. SHE IS PROUD OF HER CAMPAIGN AND HER CAMPAIGN STAFF. SHE READ A LETTER THAT SHE SENT TO THE LANSING STATE JOURNAL RECENTLY.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. CONGRATULATED THE WINNERS AND SENT CONDOLENCES TO THE LOSERS OF LAST WEEK'S ELECTION. HE THANKED EVERYONE WHO VOTED NO ON PROPOSAL 1. THIS IS NOT A DEAD ISSUE. THIS MOVEMENT HAS RAISED A LOT OF GOOD QUESTIONS, THEY JUST LACKED THE PROPER STRATEGIES TO CORRECT THE SITUATION. HOPEFULLY, THE NEW COUNCIL WILL BE ABLE TO ARM THE POLICE WITH UP TO DATE SURVEILLANCE EQUIPMENT. THEY SHOULD BE ABLE TO CLEAN UP THE DRUG HOUSES, AND TO MAKE THE 4TH WARD DRUG FREE.

VIRGINIA BOZEK OF 419 CLARENDON IN E. LANSING REPEATED THE INFORMATION ABOUT HER SON'S SHOOTING DEATH ON OCTOBER 23, 1996. THIS IS WHY THEY



UNDERSTAND THAT THE ACTIONS OF THE LANSING POLICE DEPARTMENT CAN AFFECT EVERYONE IN THE SURROUNDING AREA. SHE STATED THAT NEARLY 1/2 OF THE PEOPLE THAT VOTED VOTED IN SUPPORT OF THE CITIZENS REVIEW BOARD ISSUE. SHE, AND HER HUSBAND, HOPE THAT THE CITY OF LANSING WILL MOVE ABOVE PUBLIC RELATIONS EFFORTS AND ESTABLISH FAIR POLICE STANDARDS IN THE CITY.

LEWIS BOZEK OF 419 CLARENDON IN E. LANSING THANKED THE 7,000 PEOPLE WHO SIGNED PETITIONS FOR AND VOTED FOR THE CITIZENS REVIEW BOARD ISSUE. HE THANKED EVERYONE WHO WORKED ON THIS CAMPAIGN.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. SAID THAT SHE RAN HER CAMPAIGN FOR SCHOOL BOARD MEMBER ON \$250.00 AND SHE CAME WITHIN 140 VOTES OF ELECTION TO THE SCHOOL BOARD. SHE IS COMPLETELY COMFORTABLE WITH THE ELECTION OF CHARLES ROBERTS TO THE BOARD. IF THIS ELECTION HAD INCLUDED MORE OPEN PRESS, MORE OPEN DEBATES, AND MORE OPEN TELEVISION COVERAGE, COUNCILMEMBER JONES WOULD HAVE WON REELECTION. SHE STATED THAT SHE WILL WRITE A LETTER TO THE ETHICS BOARD REGARDING MAYOR HOLLISTER CAMPAIGN TACTICS.

ALBERTA JORDAN OF 1649 GREENCREST IN E. LANSING THANKED EVERYONE WHO VOTED FOR AND WORKED FOR THE CITIZENS REVIEW BOARD ISSUE. THEY ARE NOT DEFEATED, THEY WILL BE BACK. SHE DEMANDED THAT CITY COUNCIL INVESTIGATE HER COMPLAINTS ABOUT THE CONVICTION OF HER SON, JUAN.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT THE 4TH WARD WAS THE LOSER IN LAST WEEK'S ELECTION, NOT CAROL WOOD. SHE PROMISED COUNCILMEMBER ELECT MURPHY THAT THIS WILL NOT BE A "CAKE-WALK" FOR HIM. SHE STATED THAT THE CITY NEEDS A NEW HISTORIC DISTRICT COMMISSION.

LLOYD TEETS OF 116 E. ELM ST. THANKED EVERYONE WHO WENT TO THE POLLS AND VOTED FOR HIM. HIS OBJECTIVE WAS TO PROVIDE VOTERS WITH A CHOICE. HE CRITICIZED THE \$50,000 CHECK PRESENTED TO THE CITY BY LEFPA LAST WEEK, SAYING THAT THE GESTURE TAKES ON LESS MEANING WHEN COMPARED TO THE FACT THAT LEFPA RECEIVED A SUBSIDY OF OVER \$1,000,000 LAST YEAR. HE WANTS TO KNOW WHY WE ARE CELEBRATING A \$50,000 RETURN. THIS IS TAXPAYERS MONEY THEY ARE PLAYING WITH.

KAY CARTER OF 402 CARRIER STATED A COMPLAINT ABOUT A NEW HOME CONSTRUCTED LAST YEAR IN HER NEIGHBORHOOD. THIS HOME HAS A PLASTIC SEPTIC TANK WHICH WENT UNCOVERED FOR MOST OF THE SUMMER. SHE CRITICIZED THE STORM WATER ENTERPRISE FUND ORDINANCE.

LEE CANADY OF 2701 W. MT. HOPE THANKED THE COUNCIL AND THE VOTERS WHO VOTED NO ON THE CITIZENS REVIEW BOARD BALLOT ISSUE. HE PLEDGED THAT THE BOARD OF POLICE COMMISSIONERS WILL DO THE THINGS THAT NEED TO BE DONE TO MAKE THE CHANGES THAT WILL MAKE EVERYONE PROUD OF THEM. THEY MEET EVERY TUESDAY AT THE SOUTH SIDE POLICE PRECINCT. THE PUBLIC IS WELCOME. THEY HAVE ALREADY PUT CHANGES INTO EFFECT. SOME OF THEM WERE FROM RECOMMENDATIONS FROM THE MARCH FOR JUSTICE. THEY WILL DO WHATEVER IS NECESSARY TO MAKE

THIS SITUATION RIGHT.

## COMMITTEE REPORTS

### RESOLUTION #631 REPORT OF COMMITTEE

THE DEVELOPMENT AND PLANNING COMMITTEE, TO WHOM WAS REFERRED THE REQUEST FROM SPIRIT LIFE MINISTRIES FOR A SPECIAL LAND USE APPLICATION, SLU-03-97 FOR 402 S. WASHINGTON.

AFTER THE COMMITTEE REVIEWED THE REQUEST, THE COMMITTEE RECEIVED A LETTER FROM SPIRIT LIFE MINISTRIES ASKING TO WITHDRAW THE SPECIAL LAND USE APPLICATION, SLU-3-97.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REQUEST FROM SPIRIT LIFE MINISTRIES, SLU-3-97 FOR 402 S. WASHINGTON, BE WITHDRAWN.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY

## CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTERS FROM THE CITY ATTORNEY RE:

A. JOHN LILLY V CITY OF LANSING

RECEIVED AND PLACED ON FILE

B. PATTI HOLLAND, ET AL V CITY OF LANSING, ET AL

RECEIVED AND PLACED ON FILE

3. LETTER FROM PETER C. SULLIVAN, PRESIDENT & CEO OF THE LANSING ENTERTAINMENT & PUBLIC FACILITIES AUTHORITY SUBMITTING THEIR AUDITED FINANCIAL STATEMENTS FOR FY ENDED JUNE 30, 1997

REFERRED TO THE INTERNAL AUDITOR

4. LETTERS FROM THE MAYOR RE:

A/ LETTER OF APPRECIATION FROM MARY SABAJ, MANAGER OF THE INGHAM COUNTY/CITY OF LANSING COMMUNITY CORRECTION ADVISORY BOARD FOR THE EX-OFFENDER JOB FAIR AT THE LPD SOUTH SIDE POLICE PRECINCT ON OCTOBER 16, 1997

RECEIVED AND PLACED ON FILE



B/ OFFER TO PURCHASE PROPERTY LOCATED IN THE 300 BLOCK OF S. BUTLER IN THE SEVEN BLOCK NEIGHBORHOOD AND PROPOSED DEVELOPMENT PLAN FROM THE COALITION FOR HOUSING PRESERVATION, LLC

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

C/ OFFER TO PURCHASE 8.73 ACRES OF CITY OWNED PROPERTY LOCATED IN THE 3200 BLOCK OF W. MILLER RD. FROM STOCKWELL REAL ESTATE GROUP

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

D/ WITHDRAWAL OF THE NAME OF NORMA BERMUDEZ FOR APPOINTMENT TO THE BOARD OF POLICE COMMISSIONERS RECOMMENDING THE APPOINTMENT OF MARIA OLIVIA MEJORDO OF 1200 CLIMAX FOR A TERM TO EXPIRE JUNE 30, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

E/ REQUEST TO RESURFACE THE DIRT PORTION OF THE INFIELD AT OLDSMOBILE PARK

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F/ TRANSFER OF FUNDS; LPD, PLANNING, PUBLIC SERVICE, PARKS AND RECREATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

# COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM CHRISTINE TIMMON OF 335 E. ST. JOSEPH CONGRATULATING MAYOR HOLLISTER ON HIS ELECTION VICTORY

RECEIVED AND PLACED ON FILE

2. INGHAM COUNTY 1997 TAX RATE REQUEST AND MILLAGE REQUEST REPORT

REFERRED TO THE MAYOR

3. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY IN RECOGNITION OF THE DESIGNATION OF INTERIM PUBLIC SERVICE DIRECTOR, DOUG RUBLEY AS THE CITY'S AUTHORIZED REPRESENTATIVE FOR ALL CURRENT STATE REVOLVING FUND LOANS

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

4. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION REGARDING REQUIREMENTS FOR THE

CERTIFICATION FOR LOCAL AGENCY TECHNICIANS

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

5. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES OF THE CLOSING OF A FOSTER FAMILY GROUP HOME LICENSED TO SIMON AND MARY DONALD AT 3720 TECUMSEH RIVER DR.

RECEIVED AND PLACED ON FILE

6. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF APPLICATION FOR A PERMIT FOR CONSTRUCTION IN THE FLOODPLAIN OF THE GRAND RIVER FILED BY GARY STOWE OF 1800 GLENROSE AVE.

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

7. RESOLUTION ADOPTED BY THE CITY OF BIRMINGHAM ON OCTOBER 27, 1997 REGARDING THE SALE OF EXCESS PROPERTIES BY THE MICHIGAN DEPARTMENT OF TRANSPORTATION AND OFFERING THE CITIES, TOWNSHIPS OR VILLAGES IN WHICH SUBJECT PROPERTY IS LOCATED THE "RIGHT-OF FIRST-REFUSAL"

RECEIVED AND PLACED ON FILE

8. LETTER OF APPRECIATION FROM THE LANSING NEIGHBORHOOD COUNCIL

RECEIVED AND PLACED ON FILE

9. LETTER FROM JOHN KERESKES OF 216 HARPERS WAY TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD REGARDING THE QUALITY AND COST OF SERVICE PROVIDED BY MEDIA ONE

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

10. SLU-12-97; NE CORNER OF MILLER RD. & WAVERLY RD., SPECIAL LAND USE PETITION FILED BY REVEREND C. CLAYTON OF 4701 PLEASANT GROVE TO ALLOW FOR THE CONSTRUCTION OF A NEW CHURCH FACILITY

REFERRED TO THE MAYOR AND THE PLANNING BOARD

11. Z-25-97; 300 BLOCK S. BUTLER ST., PETITION FOR REZONING FROM "C" RESIDENTIAL TO "D-1" PROFESSIONAL OFFICE DISTRICT FILED BY THE CITY OF LANSING TO ALLOW FOR DIVISION AND DEVELOPMENT OF THE PROPERTY FOR USE AS MIXED RESIDENTIAL/OFFICE USE

REFERRED TO THE MAYOR AND THE PLANNING BOARD

12. SUSPENSION ITEM FROM COUNCILMEMBER LILLY; A LETTER FROM RHONDA NEVEAU, CHAIR OF THE KENDON SCHOOL PTA REQUESTING FINANCIAL ASSISTANCE WITH THE PURCHASE OF PLAYGROUND EQUIPMENT FOR THEIR SCHOOL

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PUBLIC SERVICES



13. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM WILLIAM BRANDON OF 817 S. DEXTER DR. REGARDING TRAFFIC PROBLEMS ON DEXTER DR.

REFERRED TO THE MAYOR, THE TRAFFIC BOARD AND THE COMMITTEE ON PUBLIC SAFETY

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER ALLEN THANKED EVERYONE FOR THEIR SUPPORT, VOTES, CALLS, FLOWERS, AND LETTERS OF THANKS.

COUNCILMEMBER BAUER COMMENDED THE "FINE YOUNG PEOPLE FROM EASTERN HIGH SCHOOL'S KEY CLUB" WHO CAME TO HER DOOR ON HALLOWEEN COLLECTING DONATIONS FOR THE IODINE DEFICIENCY PROJECT. THIS IS A YEAR ROUND FUND RAISER FOR THEM. SHE REPORTED THAT SHE, ALONG WITH COUNCILMEMBER LEEMAN, ATTENDED A RECEPTION AND DINNER FOR SISTER CITY DELEGATES FROM AQUAPIM, GANA. IT WAS A VERY POSITIVE EXPERIENCE TO MEET THESE VISITORS, MANY OF WHOM WERE ON THEIR FIRST VISIT TO THE U.S. SHE ANNOUNCED A MEETING OF THE INTERGOVERNMENTAL RELATIONS COMMITTEE THIS THURSDAY AT 10:30 A.M. TO REVIEW THE SOUTHSIDE LIBRARY LEASE.

COUNCILMEMBER BENAVIDES COMMENTED REGARDING AN ARTICLE IN SATURDAY'S STATE JOURNAL ON THE MERGER BETWEEN THE FIRE DEPARTMENT DISPATCHERS AND 911 EMERGENCY SERVICES. HE ASKED WHEN THIS PROPOSAL WILL COME BEFORE COUNCIL. HE WAS SURPRISED TO SEE REPORTS IN THE PAPER ABOUT THIS MERGER PRIOR TO HAVING RECEIVED INFORMATION ABOUT IT FROM THE ADMINISTRATION. HE ASKED THAT THIS INFORMATION BE FORTHCOMING FROM THE MAYOR.

MR. WIENER RESPONDED THAT THIS MATTER HAS BEEN IN NEGOTIATIONS FOR SEVERAL YEARS. THEY HAVE BEEN TALKING TO THE FIRE FIGHTERS ABOUT CONSOLIDATION FOR SOME TIME. THE CITY HAD A STUDY DONE BY CONSULTANTS 1 1/2 YEARS AGO. THE NEW FIRE CHIEF LOOKED AT PROPOSALS AND FELT THAT THE BEST THING TO DO WAS TO CONSOLIDATE THESE TWO FUNCTIONS. THE COUNTY SUPPORTS THE PROPOSAL. IT WAS ANNOUNCED TO THE FIRE FIGHTER UNION THAT THEY WOULD LIKE TO GO AHEAD WITH THIS PROJECT. THEY OBJECTED, AND ASKED THAT THE PROPOSAL BE SENT TO ARBITRATION. THE ADMINISTRATION VIEWS THIS AS A REORGANIZATION THAT THEY ARE EMPOWERED TO UNDERTAKE, AND THEY ARE MAKING PLANS TO MOVE FORWARD WITH THE CONSOLIDATION. THEY CURRENTLY HAVE AN OFFER TO THE UNION TO DISCUSS THE PROJECT WITH THEM. THIS COMPLEX PROCESS IS IN THE BEST INTERESTS OF THE CITY AND IT'S FIRE FIGHTERS.

COUNCILMEMBER ALLEN SAID THAT WHEN THIS STUDY CAME TO PUBLIC SAFETY, CHIEF MARTIN APPEARED BEFORE THEM IN SUPPORT OF THE PROPOSAL. THE COMMITTEE FELT THAT THIS WAS AN ADMINISTRATIVE MATTER.

COUNCILMEMBER JONES COMMENTED ON THE TRAGIC DEATH OF A YOUNG WOMAN IN A HOUSE FIRE ON PENNSYLVANIA AVE. ACROSS FROM EASTERN HIGH SCHOOL. THIS SHOULD GIVE MORE IMPETUS TO HIS PROPOSAL THAT THE CITY ACQUIRE THE PROPERTIES ACROSS FROM EASTERN FOR REDEVELOPMENT. HE HOPES THAT MAYOR HOLLISTER WILL SUPPORT THIS SUGGESTION.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER THANKED THE MEMORIAL REVIEW BOARD AND CITY COUNCIL FOR BRINGING ABOUT THE RE-DEDICATION OF THE KINGSLEY COMMUNITY CENTER AS THE RICHARD AND OLIVIA LETTS COMMUNITY CENTER. HE HOPES THAT THE CENTER WILL LIVE UP TO THE NAME, HISTORY AND PROMISE OF RICHARD LETTS. HE ANNOUNCED THAT THE NEIGHBORHOOD ADVISORY BOARD WILL DISTRIBUTE GRANT APPLICATIONS FOR THE NEXT ROUND OF NEIGHBORHOOD GRANTS. THERE IS \$90,000 IN GRANT MONEY AVAILABLE TO BE DISTRIBUTED TO NEIGHBORHOOD GROUPS WHO APPLY. THE DEADLINE FOR APPLICATIONS IS NOT UNTIL FEBRUARY 17, 1998. SILVER BELLS IN THE CITY IS COMING UP ON NOVEMBER 21ST, AND THIS YEAR WILL BE SOMEWHAT DIFFERENT THAN IN THE PAST. THEY WILL HAVE A LIGHTED FLOAT PARADE STARTING AT 6:15 P.M., WITH THE TREE LIGHTING TAKING PLACE AT AROUND 7:00 P.M. THIS SHOULD ALLOW PEOPLE MORE TIME TO GET DOWNTOWN FOR THE TREE LIGHTING. EACH FLOAT HAS OVER 5,000 LIGHTS ON IT. THE ACTIVITIES WILL LAST LONGER THAN IN THE PAST, BUT THERE IS NO SET TIME PERIOD.

**ADJOURNED 9:15 P.M.  
MARILYNN SLADE, CITY CLERK**





LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF NOVEMBER 17, 1997**

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CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER BENAVIDES

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER ALLEN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER ALLEN; A LETTER FROM THE MAYOR SUBMITTING AN ORDINANCE ADDING A NEW CHAPTER, CHAPTER 1067, SECTION 1067.01 THROUGH 1067.99 PROVIDING THAT THE LANSING FIRE DEPARTMENT MAY CHARGE LOCAL OUTSIDE AGENCIES AND PRIVATE INDIVIDUALS FOR FIREFIGHTER TRAINING SERVICES

2. FROM COUNCILMEMBER ALLEN; A RESOLUTION DESIGNATING INTERIM DIRECTOR OF THE PUBLIC SERVICE DEPARTMENT, DOUGLAS RUBLEY AS THE CITY OF LANSING REPRESENTATIVE FOR THE PURPOSE OF SRF FUNDS AND EPA GRANTS

3. FROM COUNCILMEMBER LILLY; A RESOLUTION SETTING A PUBLIC HEARING IN CONSIDERATION OF AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE TO ATMOSPHERE ANNEALING AT 1814 BASSETT

4. FROM COUNCILMEMBER LEEMAN; A RESOLUTION APPOINTING BOND COUNCIL FOR THE CSO PROJECT

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER LILLY CONFIRMED THE REGULARLY SCHEDULED MEETING OF THE DEVELOPMENT AND PLANNING COMMITTEE FOR TOMORROW AT 4:00 P.M. WHERE THEY WILL TAKE UP THE BLUE COYOTE REZONING ISSUE AND THE

MICHIGAN RETAILERS REZONING ISSUE.

COUNCILMEMBER JONES ASKED PARKS AND RECREATION DIRECTOR REICKEL TO CLEAR UP THE MISUNDERSTANDING REGARDING AN ANNOUNCEMENT THAT WAS RELEASED ON A LOCAL TELEVISION STATION TODAY TO THE EFFECT THAT THIS IS THE LAST DAY FOR RESIDENTS TO GET THEIR TREES AND TREE LIMBS OUT TO THE STREETS FOR PICKUP.

COUNCILMEMBER BENAVIDES ANNOUNCED THAT THIS SATURDAY THE "HISPANIC HANDI-CRAFTERS FROM CRISTO REY COMMUNITY CENTER ARTS AND CRAFTS PROGRAM" WILL SELL BAKED GOODS AND MEXICAN FOODS, AS WELL AS OTHER HAND CRAFTED ITEMS.

COUNCILMEMBER ALLEN REMINDED THE LISTENING AUDIENCE THAT MR. REX GILLETTE WILL HOST HIS OWN 70TH BIRTHDAY PARTY ON NOVEMBER 23, 1997 AT THE \_\_\_\_\_ HALL BETWEEN WASHINGTON AND MT. HOPE. THE PUBLIC IS INVITED TO BRING A DISH TO PASS. MAIN DISH FOOD WILL BE PROVIDED.

MAYOR HOLLISTER ANNOUNCED THAT THIS FRIDAY, NOVEMBER 21, 1997, THE CITY WILL KICK-OFF THE HOLIDAY SEASON WITH "SILVER BELLS IN THE CITY." THIS YEAR WILL SEE THE ADDITION OF THE LIGHTED FLOAT PARADE. HE URGED PARTICIPATION IN THIS EVENT ANYTIME AFTER 5:00 P.M. ON FRIDAY EVENING. HE ANNOUNCED THAT THIS YEAR'S TREE WAS CONTRIBUTED BY CONNIE AND TOM SUNDSTROM OF GLADWIN. THE MAYOR OF GLADWIN IS BRINGING A BUSLOAD OF PEOPLE TO LANSING TO PARTICIPATE IN THE PARADE. HE ANNOUNCED THAT TOMORROW NIGHT, NOVEMBER 18TH, AND WEDNESDAY NIGHT, NOVEMBER 19TH, THE OTTO MIDDLE SCHOOL AND THE HUMAN RELATIONS BOARD AND THE POLICE COMMUNITY RELATIONS BOARD WILL CONDUCT A PUBLIC FORUM FOR COMMENTS ON THE QUALITIES WE SHOULD BE SEEKING IN OUR NEW CHIEF OF POLICE. ON SUNDAY, NOVEMBER 23, 1997, THE ANNUAL WONDERLAND OF LIGHTS AT POTTER PARK ZOO WILL OPEN. THIS THURSDAY IS THE OPENING DAY FOR APPLICATIONS FOR THE MAYOR'S GRANT PROGRAM FOR NEIGHBORHOODS. THERE WILL BE A GRANT WORKSHOP FOR NEIGHBORHOOD GROUPS THIS YEAR TO TEACH THEM HOW TO FILL OUT THE GRANT APPLICATIONS. THIS WILL BE HELD ON NOVEMBER 20, 1997 AT THE RICHARD AND OLIVIA LETTS COMMUNITY CENTER. ALL NEIGHBORHOOD ORGANIZATIONS AND GROUPS ARE WELCOME TO ATTEND. THE APPLICATIONS ARE NOT DUE UNTIL FEBRUARY 17, 1998, SO THERE IS PLENTY OF TIME FOR EVERYONE TO GET THEIR GRANT APPLICATIONS COMPLETED. PARTIES INTERESTED IN THE WORKSHOP MAY CONTACT MR. WIENER AT 483-4141.

R. ERIC REICKEL, DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT SAID THAT THE NEWS RELEASE THAT WAS MENTIONED BY COUNCILMEMBER JONES WAS INCORRECT. IT SHOULD HAVE SAID THAT IN AREAS THAT HAVE ALREADY BEEN CLEANED UP, RESIDENTS SHOULD NO LONGER BE MOVING THEIR TREES AND LIMBS TO THE CURB. AREAS THAT HAVE



NOT BEEN CLEANED UP BY THE CREWS ARE BEING ASKED NOT TO BRING ANY MORE BRUSH OUT TO THE CURB. THE CLEANUP CREWS HAVE PROGRESSED THROUGH MORE THAN 1/3 OF THE CITY. MOST OF THE NORTH SIDE CLEANUP IS DONE. THEY WILL BEGIN AT I-496 AND MOVE SOUTH AFTER WEDNESDAY OF THIS WEEK. THEY HAVE REMOVED 2,600,000 POUNDS OF BRUSH. THEY WILL BREAK FOR THE THANKSGIVING HOLIDAY AND BEGIN AGAIN ON MONDAY, DECEMBER 1, 1997. THEY PROJECT THAT THEY WILL EXPENDED ALL OF THE FUNDS APPROPRIATED FOR THIS CLEANUP BY THE FIRST WEEK IN DECEMBER.

► SPECIAL CEREMONIES

A. COUNCILMEMBER ALLEN PRESENTED A RESOLUTION OF TRIBUTE TO ANN GLEASON, CHAPTER PRESIDENT OF THE MADD "TIE ONE ON" RIBBON CAMPAIGN. MS. GLEASON SAID THAT SIX (6) YEARS AGO, HER SON WAS KILLED BY A DRUNK DRIVER. THEY HAVE WORKED VERY HARD TO EDUCATE THE PUBLIC NOT TO DRINK AND DRIVE. DRINKING MAY BE A RIGHT, BUT DRINKING AND GETTING BEHIND THE WHEEL OF A CAR IS NOT.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF CLARA'S INC. BUILDING DEVELOPMENT PROJECT

ROSS SIMPSON OF 114 E. FRONT ST. IN GRAND LEDGE, DIRECTOR OF CLARA'S, SAID THAT THEY ARE ASKING FOR AN ECONOMIC DEVELOPMENT CORPORATION LOAN IN THE AMOUNT OF \$100,000 FOR THE EXPANSION OF CLARA'S RESTAURANT, PARKING LOT, AND SURROUNDING AREA. THEY PLAN TO COMPLETE THE ADDITION OF A PULLMAN CAR ONTO CLARA'S CURRENT BUILDING TO ALLOW FOR ADDITIONAL DINING SPACE. THEY EMPLOY OVER 90 INDIVIDUALS AT THIS TIME. THIS EXPANSION WILL ALLOW THEM TO HIRE MORE THAN 20 MORE PEOPLE. THEY HAVE BEEN IN BUSINESS IN LANSING SINCE THE 1970's.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF Z-21-97; 5030 S. CEDAR ST., REZONING PETITION FILED BY SEMMLER CORPORATION ON BEHALF OF FINANCIAL ADVISORS & JAR, TO ALLOW FOR THE REMOVAL OF THE EXISTING GAS STATION AND DEVELOPMENT OF A NEW RITE AID PHARMACY WITH A DRIVE-THROUGH WINDOW

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

COUNCILMEMBER LILLY ANNOUNCED THAT BOTH THE CLARA'S REQUEST AND Z-21-97 WILL BE TAKEN UP AT THE DEVELOPMENT AND PLANNING MEETING TO BE HELD ON DECEMBER 2, 1997

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. IN CONSIDERATION OF AN ORDINANCE, OR ORDINANCES,

READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, FOR THE PURPOSE OF PROVIDING THAT THE 1987 CODE OF ORDINANCES AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH NOVEMBER 24, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED, INCLUDING, BUT NOT LIMITED TO;

- CHAPTER 654, SECTIONS 654.01 THROUGH 654.99, THE NOISE ORDINANCE

- CHAPTER 296, SECTIONS 296.01 THROUGH 296.99, THE FAIR HOUSING ORDINANCE

- CHAPTER 1046, SECTIONS 1046.01 THROUGH 1046.99, THE INDUSTRIAL PRETREATMENT ORDINANCE

- CHAPTER 872, SECTIONS 872.01 THROUGH 872.99, THE VEHICLE FOR HIRE ORDINANCE

MARY CLARK OF 223 S. EIGHTH SAID THAT THE NOISE ORDINANCE IS NECESSARY TO INSURE THE QUALITY OF LIFE FOR LANSING RESIDENTS. SHE BELIEVES IT COULD BE STRENGTHENED WITH REGARD TO THE ENFORCEMENT SECTIONS.

LLOYD TEETS OF 116 E. ELM ST. STATED HIS DISAGREEMENT WITH THIS AMENDMENT. THIS COUNCIL SHOULD NOT BE RE-APPROVING ALL OF THE OVER 1,000 PAGE CODE OF ORDINANCES AND READOPTING THEM HERE TONIGHT. THIS IS AN ATTEMPT TO STIFLE CITIZEN PARTICIPATION IN GOVERNMENT. HE BELIEVES THIS TO BE A VIOLATION OF THE CITY CHARTER.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. IN CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 1460, SECTIONS 1460.01 THROUGH 1460.99, THE HOUSING CODE

RUTH HALLMAN OF 1014 W. LAPEER URGED THE PASSAGE OF THESE CHANGES. PARTICULARLY WITH RESPECT TO THE SECTIONS THAT APPLY TO; THE MOWING OF TALL GRASS AND WEEDS, FURNITURE, INCREASED FINES, AND SMOKE DETECTORS. THESE ARE VERY IMPORTANT AMENDMENTS THAT AFFECT THE QUALITY OF LIFE IN NEIGHBORHOODS. THEY WILL HELP IMPROVE NEIGHBORHOODS AND HELP MAKE THEM MORE TAX PAYING.

CAROL WOOD OF 1018 W. LAPEER STATED HER SUPPORT FOR THE CHANGES TO THE REGISTRATION OF RENTAL PROPERTY PROVISIONS. OVER 50% OF LANSING IS RENTER OCCUPIED. SHE SPOKE REGARDING A BURGLARY DONE BY RENTERS IN A HOUSE ON BEAL ST. THEY CANNOT GET PROBLEMS LIKE THIS TAKEN CARE OF IF THE PROPERTY OWNERS DO NOT REGISTER THEIR RENTAL PROPERTIES. SHE COMMENDED THE INCLUSION OF THE SECTION REQUIRING SCREENS TO BE PLACED ON WINDOWS. SHE HAS SEEN TOO MANY YOUNG CHILDREN HANGING OUT OF WINDOWS THAT DO NOT HAVE SCREENS ON THEM.

ELLEN MOORE OF 1620 OSBAND ASKED HOW NEW



LANDLORDS WILL KNOW THAT THEY HAVE TO REGISTER THEIR RENTALS. SHE HAS BEEN UNABLE TO GET HER QUESTIONS ANSWERED. THERE ARE MANY ITEMS IN THIS ORDINANCE THAT WILL CAUSE A LOT OF CONFUSION. SHE DOES NOT DISAGREE WITH AMENDING THIS ORDINANCE, BUT SHE SEES MANY PROBLEMS WITH THE ENFORCEMENT OF THESE PROVISIONS. WHY ARE THE NAME CHANGES FOR THE BUILDING SAFETY DIVISION INCLUDED? THIS WILL COST THE TAXPAYERS A LOT OF MONEY BY REQUIRING NEW SUPPLIES WITH THE NEW NAME. SHE FEEL THAT THIS ORDINANCE NEEDS MORE WORK. THE 1990 CENSUS SAID THAT 45% OF LANSING RESIDENTS LIVED IN OWNER OCCUPIED UNITS AND 55% LIVED IN RENTAL UNITS. SHE INVITED LANDLORDS TO COME TO THIS MEETING AND SPEAK TONIGHT, BUT THEY DID NOT, BECAUSE THEY FELT THAT THE COUNCIL WOULD NOT LISTEN TO THEM.

ROBERT BENNETT OF 222 W. SAGINAW SAID THAT THERE ARE TWO THINGS MISSING FROM THIS ORDINANCE. IF THE CITY IS GOING TO HARASS TENANTS AND LANDLORDS, THEN THEY SHOULD BE INSPECTING OWNER OCCUPIED HOUSING, AS WELL. INSPECTIONS DO NOT NEED TO BE DONE EVERY YEAR. THEY NEED ONLY BE DONE EVERY 4-6 YEARS.

MARY CLARK OF 223 S. EIGHTH ST. SAID THAT THE HOUSING CODE IS CRITICALLY IMPORTANT TO THE HEALTH, SAFETY, AND QUALITY OF HOME CARE IN NEIGHBORHOODS. THE CITY DOES NEED TO INCLUDE SOME TYPE OF INCENTIVE TO GOOD LANDLORDS. GOOD LANDLORDS GET INSPECTED AND REINSPECTED OVER AND OVER AGAIN, BUT BAD LANDLORDS NEVER GET INSPECTED. THIS ORDINANCE NEEDS A SYSTEM FOR RECOGNIZING AND REWARDING GOOD LANDLORDS AND PUNISHING BAD ONES. THEY NEED A SYSTEM TO ENSURE THE REGISTRATION OF ALL RENTAL PROPERTIES, AND A SYSTEM FOR FINES FOR NON-REGISTRATION. PERHAPS THEY COULD CONSIDER A BOUNTY TO NEIGHBORHOODS THAT TURN IN UNREGISTERED PROPERTIES.

LYOYD TEETS OF 116 E. ELM ST. SAID THAT HE IS CONCERNED ABOUT ENFORCEMENT OF THE PROVISION DEALING WITH THE USE OF INSIDE FURNITURE OUT OF DOORS. HE ASKED WHO WOULD BE FINED FOR THIS TYPE OF VIOLATION, THE PROPERTY OWNER OR THE TENANT? ADDITIONALLY, HE WOULD LIKE TO KNOW WHO WILL BE FINED FOR THE SMOKE DETECTOR VIOLATIONS. LANDLORDS CAN PROVIDE ALL OF THE SMOKE DETECTORS THEY WANT, BUT THE TENANTS JUST TAKE THE BATTERIES OUT OF THEM FOR USE IN REMOTE CONTROLS AND TOYS.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SPOKE REGARDING THE TRANSFER OF FUNDS FOR THE JUVENILE JUSTICE AND DELINQUENCY PROGRAM. SHE SUPPORTS THIS PROGRAM.

LYOYD TEETS OF 116 E. ELM ST. SAID THAT HE IS AMAZED AT THE NUMBER OF APPEALS BEFORE CITY COUNCIL TONIGHT. THIS IS AFTER THESE APPEALS HAVE BEEN THROUGH THE ADMINISTRATIVE APPEALS PROCESS IN THE PUBLIC SERVICE DEPARTMENT. ALL OF THE APPEALS ON TONIGHTS AGENDA ARE FROM THE "LITTLE GUYS" HOW MANY BUSINESSES AND DEVELOPMENTS HAVE MADE APPEALS TO

THE PUBLIC SERVICE DEPARTMENT THAT WERE APPROVED, WITHOUT HAVING TO COME BEFORE CITY COUNCIL? HE KNOWS THAT A NUMBER OF APPEALS WERE APPROVED, OR BILLS REDUCED BY THE PUBLIC SERVICE DEPARTMENT FOR INDUSTRIAL AND COMMERCIAL BUSINESSES THAT DID NOT HAVE TO GO THROUGH THE APPEALS PROCESS OF COUNCIL, AND MAY NOT HAVE HAD TO GO THROUGH ANY FORMAL PROCESS AT ALL.

**LEGISLATIVE MATTERS  
RESOLUTIONS**

**RESOLUTION #632**

BY COUNCILMEMBER SANDY ALLEN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, 17,126 PEOPLE WERE KILLED AND AN ESTIMATED ONE MILLION PEOPLE LAST YEAR IN 1996 ON OUR NATION'S HIGHWAYS IN ALCOHOL RELATED CRASHES; AND

WHEREAS, MOTHERS AGAINST DRUNK DRIVING HAS PLAYED A VITAL ROLE IN THE ENACTMENT OF TOUGHER ANTI-DRUNK DRIVING LAWS RESULTING IN A 40 PERCENT DROP IN ALCOHOL-RELATED TRAFFIC DEATHS SINCE 1980; AND

WHEREAS, ALCOHOL IMPAIRED DRIVING STILL REMAINS ONE OF THE LANSING AREA'S MOST FREQUENTLY COMMITTED VIOLENT CRIMES AND THERE REMAINS A CRITICAL NEED FOR CONTINUED EDUCATION, INCREASED ENFORCEMENT AND TOUGHER LAWS AND PENALTIES FOR OFFENDERS; AND

WHEREAS, BUSINESS, GOVERNMENT, LAW ENFORCEMENT, SERVICE ORGANIZATIONS, YOUTH, SENIOR CITIZENS, MILITARY, SPORTS TEAMS AND INDIVIDUALS WILL DEMONSTRATE THEIR COMMITMENT TO SAFE, SOBER DRIVING BY TYING A MADD RIBBON TO A VISIBLE LOCATION ON THEIR VEHICLES DURING THIS HOLIDAY SEASON; AND

WHEREAS, THESE ACTIONS DEMONSTRATE LANSING'S PLEDGE TO TIE ONE ON FOR SAFETY TO PREVENT NEEDLESS DEATHS AND INJURIES; AND

WHEREAS; THE COMMUNITY OF LANSING IS PLEDGING ITS SUPPORT OF THE TIE ONE ON FOR SAFETY TO HELP ENSURE THE SUCCESS OF THIS LIFE SAVING PROGRAM; AND

NOW THEREFORE BE IT, RESOLVED THAT THE LANSING CITY COUNCIL PROCLAIMS, MONDAY, NOVEMBER 24, 1997 AS TIE ONE ON FOR SAFETY DAY IN LANSING; AND

BE IT FURTHER RESOLVED THAT THE COUNCIL CALLS UPON ALL CITIZENS, GOVERNMENT AGENCIES, HOSPITALS, BUSINESSES AND SCHOOLS IN LANSING TO MAKE A VISIBLE COMMITMENT TO THE FIGHT AGAINST DRUNK DRIVING BY TYING A MADD RIBBON TO THEIR VEHICLES.

BY COUNCILMEMBER ALLEN

CARRIED UNANIMOUSLY

**RESOLUTION #633**

BY THE GENERAL SERVICES COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF



## THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF FRED CAMPBELL, 731 PRINCETON, OF THE SPECIAL ASSESSMENT FOR THE BOARD UP OF 731 PRINCETON, AN AMOUNT OF \$701.68; AND

WHEREAS, THE PROPERTY LOCATED AT 731 PRINCETON WAS BOARDED ON NOVEMBER 4, 1994 IN ACCORDANCE WITH SECTION 1460.24(G) EMERGENCY ALTERATIONS/REPAIRS OF THE LANSING HOUSING CODE; AND

WHEREAS, THE OWNER AT THE TIME SOLD THE HOUSE TO FRED CAMPBELL BEFORE THE CITY ASSESSOR'S OFFICE PROPERLY RECORDED THE SPECIAL ASSESSMENT; AND

WHEREAS, FRED CAMPBELL STILL RESIDES AT AND HAS MADE CONSIDERABLE AMOUNT OF ALTERATIONS AND REPAIRS TO 731 PRINCETON; AND

NOW THEREFORE BE IT RESOLVED, THAT CLAIM OF FRED CAMPBELL BE APPROVED AND THE SPECIAL ASSESSMENT FOR THE BOARD-UP OF PROPERTY LOCATED AT 731 PRINCETON BE WAIVED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1, COUNCILMEMBER ALLEN ABSENT AND UNEXCUSED FOR THIS VOTE

**RESOLUTION #634**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF ROBERT NELSON, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-32-126-156-5; COMMONLY KNOWN AS 0000 W. HOLMES ROAD, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-32-126-156-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF ROBERT NELSON WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-32-126-156-5 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-32-126-156-5 BE REDUCED FROM \$547.75 TO \$88.20 FOR 1995 AND SUBSEQUENT YEARS, AND THAT, IN THE REDUCTION, REIMBURSEMENTS BE GENERATED BY THE ADMINISTRATION; AND

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY ROBERT NELSON AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-32-126-156-5 GREATER THAN \$88.20 BE REFUNDED WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #635**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF GERTRUDE MITCHELL, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-31-401-071-3; COMMONLY KNOWN AS 3024 FAUNA, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-31-401-071-3 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF GERTRUDE MITCHELL WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-31-401-071-3 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE 1995 AND FUTURE STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-31-401-071-3 BE REDUCED BY 25% FROM \$84.60 TO \$63.45.



By COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #636**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF SCOTT R. HOLLIDAY, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-28-183-061-8; COMMONLY KNOWN AS 418 GREENLAWN AVENUE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-28-183-061-8 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF SCOTT R. HOLLIDAY WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-28-183-061-8 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-28-183-061-8 IS DENIED.

By COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #637**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF MARGARET J. SHIREY, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-28-334-201-2; COMMONLY KNOWN AS 211 DUNLAP, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE

OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-28-334-201-2 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF MARGARET J. SHIREY WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-28-334-201-2 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-28-334-201-2 IS DENIED.

By COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #638**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF ANN JOSEPH, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-04-402-121-1; COMMONLY KNOWN AS 247 HARRIS, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-04-402-121-1 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF ANN JOSEPH WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-04-402-121-1 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-04-402-121-1 IS DENIED.

By COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,



LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #639**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF CHRISTOPHER HULL, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-27-202-Q71-4 COMMONLY KNOWN AS 1937 SUNNYSIDE AVENUE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-27-202-071-4 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF CHRISTOPHER HULL WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-27-202-071-4 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-27-202-071-4 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #640**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF MICHAEL PANETTA, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-11-352-201-6; COMMONLY KNOWN AS 719 N. MAGNOLIA AVENUE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-11-352-201-6 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF MICHAEL PANETTA WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED

PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-11-352-201-6 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-11-352-201-6 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #641**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF AVERY KEENEY, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-14-108-122-4; COMMONLY KNOWN AS 332 N. FAIRVIEW AVENUE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-14-108-122-4 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF AVERY KEENEY WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-14-108-122-4 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-14-108-122-4 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES



**RESOLUTION #642**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF ROBERT NELSON, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-32-126-152-3; COMMONLY KNOWN AS 1733 W. HOLMES ROAD, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-32-126-152-3 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF ROBERT NELSON WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS NOT SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-32-126-152-3 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-32-126-152-3 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #643**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF ANN SCOTT, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-33-277-072-6; COMMONLY KNOWN AS 558 HUNTER BLVD., LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-33-277-072-6 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF ANN SCOTT WITH RESPECT TO THE STORMWATER

ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-33-277-072-6 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-33-277-072-6 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES

**RESOLUTION #644**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON NOVEMBER 13, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF MARY KALLER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No. 3301-08-330-181-1; COMMONLY KNOWN AS 1131 CAWOOD STREET, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No. 3301-08-330-181-1 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF MARY KALLER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE VOTED UNANIMOUSLY TO CONCUR WITH THE PUBLIC SERVICE DEPARTMENT RECOMMENDATION THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No. 3301-08-330-181-1 IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEES WITH RESPECT TO PARCEL No. 3301-08-330-181-1 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL, JONES



ITEM VIII B-2(E), RESOLUTION APPROVING ISSUANCE OF A NEW CLASS C LIQUOR LICENSE TO FINE HOST CORPORATION AND LEFPA FOR 333 N. CEDAR ST., WAS NOT SUBMITTED TO THE CITY CLERK FOR INCLUSION IN THE PACKET, AND WAS SUBSEQUENTLY PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER BENAVIDES

ITEM VIII B-2(F), RESOLUTION APPROVING THE ISSUANCE OF A NEW CLASS C LIQUOR LICENSE WITH A NEW DANCE PERMIT TO THE FINE HOST CORPORATION AND LEFPA FOR 333 E. MICHIGAN AVE., WAS NOT SUBMITTED TO THE CITY CLERK FOR INCLUSION INTO THE PACKET, AND WAS SUBSEQUENTLY PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER BENAVIDES

**RESOLUTION #645**  
BY THE COMMITTEE ON PUBLIC SERVICE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, PURSUANT TO THE RESOLUTION ADOPTED BY THIS COUNCIL ON OCTOBER 20, 1997, FOR ROLL NUMBER 339 FOR SANITARY SEWER, AND

WHEREAS, BROTHER DODD'S RESTAURANT, AS TAXPAYERS, PETITIONED CITY COUNCIL TO EXTEND PAYMENTS FOR CERTAIN SPECIAL ASSESSMENTS FOR ITS PROPERTY; AND

WHEREAS, SECTION 1026.07(B) OF THE LANSING CODE OF ORDINANCES PERMITS CITY COUNCIL TO GRANT AN EXTENSION OF TIME FOR PAYMENT OF SPECIAL ASSESSMENTS BY ANY TAXPAYER:

NOW, THEREFORE, BE IT RESOLVED, THAT PURSUANT TO SECTION 1026.07(B) OF THE LANSING CODE OF ORDINANCES:

- A) BROTHER DODD'S RESTAURANT SHALL HAVE A MAXIMUM OF TWELVE (12) YEARS TO PAY ITS SPECIAL ASSESSMENT ON PARCEL 2304-36-226-130 FOR SANITARY SEWER IN THE AMOUNT OF \$43,870.75;

BE IT FURTHER RESOLVED, THAT THE CITY ATTORNEY PREPARE THE APPROPRIATE DOCUMENTS FOR EXECUTION BY THE ABOVE NAMED PARTY; AND

BE IT FURTHER RESOLVED, THAT SPECIAL ASSESSMENT ROLL NUMBER 329 AS RETURNED BY THE CITY ASSESSOR, BE RATIFIED AND CONFIRMED, AND THE MAYOR IS AUTHORIZED TO AFFIX WITHIN TEN DAYS HIS WARRANT DIRECTING THE CITY TREASURER TO COLLECT SAID TAX; AND

BE IT FINALLY RESOLVED, THAT UPON PROPER EXECUTION OF THE EXTENSION AGREEMENT, THE CITY ASSESSOR SHALL PREPARE AND SEND THE TAXPAYER A BILL CONSISTENT WITH THIS RESOLUTION WITH THE FIRST INSTALLMENT DUE AND PAYABLE WITHIN NINETY (90) DAYS AFTER THE APPROVAL OF THE ASSESSMENT ROLL.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #646**  
BY WAYS AND MEANS COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, IN ORDER TO ATTRACT CUSTOMERS TO THE DOWNTOWN MERCHANTS AND RESTAURANTS DURING THE 1997 HOLIDAY SEASON, THE PARKING SYSTEM STAFF, PUBLIC SERVICES DIRECTOR, AND MAYOR RECOMMEND A HOLIDAY PARKING PROMOTION TO BE OFFERED IN THE PARKING RAMPS ON THREE THURSDAY BETWEEN THANKSGIVING AND CHRISTMAS; AND

NOW, THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY AFFIRMS THE HOLIDAY PARKING PROMOTION; AND

BE IT FURTHER RESOLVED SIXTY RUBBER VALIDATION STAMPS WILL BE DISTRIBUTED TO DOWNTOWN MERCHANTS AND RESTAURANTS. EACH STAMP WILL ALLOW TWO FREE HOURS OF PARKING IN ANY LANSING MUNICIPAL PARKING SYSTEM ATTENDED RAMP; AND

BE IT FURTHER RESOLVED, THE BUSINESSES USING THE VALIDATION WILL USE THE STAMPS ONLY FOR CUSTOMERS WHO MAKE A PURCHASE. THE BUSINESSES WILL NOT BE CHARGED FOR THE FREE PARKING PROVIDED; AND

BE IT FURTHER RESOLVED, THE FREE PARKING PROMOTION WILL BE OFFERED FOR THE FULL HOURS OF OPERATION OF THE PARKING RAMPS ON THE FOLLOWING DATES:

THURSDAY, DECEMBER 4, 1997  
THURSDAY, DECEMBER 11, 1997  
THURSDAY, DECEMBER 18, 1997

BE IT FINALLY RESOLVED, ALL OTHER PARKING RATES NOT CHANGED BY THIS RESOLUTION SHALL REMAIN IN EFFECT.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

**THIS ITEM WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER JONES**  
BY WAYS AND MEANS COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY COUNCIL OFFICE NEEDS RENOVATION TO INCREASE SECURITY AND PROVIDE FOR ROUTINE MAINTENANCE; AND

NOW THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL AUTHORIZES THE PURCHASING DEPARTMENT TO REQUEST BIDS FOR OFFICE RENOVATIONS INCLUDING WORK STATIONS, AND CARPET REPLACEMENT.

**RESOLUTION #647**  
BY THE COMMITTEE ON  
INTERGOVERNMENTAL RELATIONS AND  
THE COMMITTEE ON WAYS AND MEANS



RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING AND EVERETT PLAZA ASSOCIATES/DTN MANAGEMENT CO. HAVE CONTRACTED FOR PREMISES FOR THE OPERATION OF A PUBLIC LIBRARY; AND

WHEREAS, THE CITY OF LANSING AND EVERETT PLAZA ASSOCIATES/DTN MANAGEMENT CO. AGREE, UNDER SAID CONTRACT, THAT THE LEASED PREMISES ARE LOCATED AT SUITE 108, 3500 S. CEDAR, LANSING, MICHIGAN, AND THAT THE CITY EXECUTE THE LEASE FOR THE PREMISES WITH THE OWNER FOR A TERM OF THREE YEARS, WITH OPTION FOR TWO ADDITIONAL THREE YEAR TERMS; AND

WHEREAS, IT IS AGREEABLE THAT THE INITIAL BEGINNING DATE OF THE LEASE IS MARCH 1, 1998, RUNNING THROUGH FEBRUARY 28, 2001; AND

WHEREAS, THE CITY OF LANSING AND EVERETT PLAZA ASSOCIATES/DTN MANAGEMENT CO. AGREE THAT THE MINIMUM BASE RATE IS \$135,000.00, PAYABLE IN CONSECUTIVE MONTHLY INSTALLMENTS OF ~~\$4,500.00~~ \$3,750.00, WITH ADDITIONAL NET CHARGES NOT TO EXCEED \$2.00 PER SQUARE FOOT FOR REAL ESTATE TAXES, INSURANCE, COMMON AREA UTILITIES, COMMON AREA MAINTENANCE AND RUBBISH REMOVAL, AND

WHEREAS, THE MINIMUM BASE RATE MAY BE INCREASED ANNUALLY WITH A CAP OF 4% PER YEAR; AND

NOW, THEREFORE, BE IT RESOLVED, THE CITY ENTER INTO A THREE (3) YEAR LEASE COMMENCING MARCH 1, 1998 THROUGH FEBRUARY 28, 2001 FOR PREMISES TO OPERATE A PUBLIC LIBRARY AND RELATED OFFICE USE.

BE IT FURTHER RESOLVED THE INCREMENTAL RENT INCREASES BE BUDGETED AS CONTAINED IN THE LEASE.

BE IT FURTHER RESOLVED THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE LEASE OF THE PREMISES, SUBJECT TO FINAL APPROVAL AS TO FORM AND SUBSTANCE BY THE CITY ATTORNEY.

BY COUNCILMEMBER JONES

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER BAUER TO STRIKE THE AMOUNT "\$4,500" IN THE 4TH (FOURTH) "WHEREAS" CLAUSE AND REPLACE IT WITH THE AMOUNT \$3,750, AND TO AMEND THE TITLE BY ADDING THE INTERGOVERNMENTAL RELATIONS COMMITTEE, MAKING IT A JOINT RESOLUTION FROM THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS AND THE COMMITTEE ON WAYS AND MEANS, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

**RESOLUTION #648**

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$4,394	POLICE-CENTRAL SERVICES-EQUIPMENT 101-343221-977000-0	
\$9,986	POLICE-RADIO LAB EQUIPMENT 101-343222- 977000-0	
\$14,380		OPER. TRANS-410 FUND 101- 966000-991410-0
\$14,380	ESTIMATED REVENUE- INFRASTRUCTURE FUND 410-0-170001-0	RADIO LAB-BASE STATIONS 410-933290-977000-13076

(PURCHASE AND INSTALLATION OF THIRD OF FOUR REPLACEMENT BASE STATIONS FOR POLICE COMMUNICATIONS SYSTEMS. REVENUE DETAIL ACCOUNT 410-0-696101-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$12,000	CDBG COMM. POLICE- REC.PROG. 252-932672- 741014-33000	CDBG COMM. POLICE-REC. PROG.-WAGES 252-932672- 707014-33000

(PLACE FUNDING IN CORRECT ACCOUNT TYPE TO HIRE PART-TIME ASSISTANCE FOR PROGRAM.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$50,000	ESTIMATED REVENUE-CSO FUND 414-0-170001-0	STREETS-BOC DONATION 414- 453682-974180-61241

(DONATION OF FROM B.O.C. FOR NORTH SIDE ROAD IMPROVEMENTS IN CONJUNCTION WITH CSO PROJECT. REVENUE DETAIL ACCOUNT 414-0-675000-0.)

~~\$25,000 FROM ESTIMATED REVENUE INFRASTRUCTURE  
410-0-170001-0~~  
~~\$25,000 TO FRANCES PARK PARKING LOT 410-933-  
690-970000-43-849~~

STATE OF MICHIGAN DONATION FOR ITS PORTION OF COSTS FOR RENOVATION OF FRANCES PARK LOT. REVENUE DETAIL ACCOUNT 410-0-675000-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$50,000	COMMUNITY SUPPORTED AGENCIES-CONTROL 101- 834101-992200-0	GENERAL ADMINISTRATION- CONTROL 101-173901- 992200-0
\$50,000	GENERAL ADMINISTRATION- CONTROL 101-173901- 992200-0	GENERAL CONTINGENCY 101- 173901-992001-0
\$50,000	OPERATING TRANSFER-LEPFA 101-966000-991570-0	COMMUNITY SUPPORTED AGENCIES-CONTROL 101- 834101-992200-0



AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$25,500	GENERAL ADMIN-GENERAL CONTINGENCY 101-173901-992001-0	GENERAL ADMINISTRATION-CONTROL 101-173901-992200-0
\$25,500	GENERAL ADMINISTRATION-CONTROL 101-173901-992200-0	COMMUNITY SUPPORTED AGENCIES-CONTROL 101-834101-992200-0
\$25,500	COMMUNITY SUPPORTED AGENCIES-CONTROL 101-834101-992200-0	SOUTH SIDE LIBRARY 101-834101-960227-0

(RETURN OF UNNEEDED LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY SUBSIDY. REQUEST THE ADMINISTRATION TO DEVELOP A PLAN FOR THE AREA ACROSS THE STREET FROM EASTERN HIGH SCHOOL. APPROPRIATION OF FUNDING FOR 4 MONTHS OPERATION OF SOUTH SIDE LIBRARY FACILITY AS OF MARCH 1, 1998. ADMINISTRATIVE AUTHORITY IS PROVIDED TO TRANSFER LIBRARY FUNDING INTO APPROPRIATE ACCOUNTS TO RECORD EXPENSES AS DETAILED IN THE LEASE.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$57,040	EST REV-STATE & FED PROG 273-0-170001-0	
\$46,540		JJDPA-GENDER SPECIFIC PROP-SAL. 273-673710-961744-17817
\$10,500		JJDPA-GENDER SPECIFIC PROP-CONTRACT 273-673710-961743-17817

(FAMILY INDEPENDENCE AGENCY-JUVENILE JUSTICE & DELINQUENCY GRANT. NO CITY MATCH REQUIRED. REVENUE DETAIL ACCOUNT 273-0-527001-17817.)

BY COUNCILMEMBER JONES

TO ACCEPT A FRIENDLY AMENDMENT PROPOSED BY COUNCILMEMBER LILLY TO STRIKE THE WORDS "NORTH SIDE" FROM THE EXPLANATION OF THE \$50,000 TRANSFER TO STREETS BOC DONATION; AND, TO STRIKE THE \$25,000 TRANSFER TO THE FRANCES PARK PARKING LOT, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

CARRIED UNANIMOUSLY

#### RESOLUTION #649

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY COUNCIL HAS PREVIOUSLY ESTABLISHED A LANSING INDUSTRIAL DEVELOPMENT DISTRICT (IPR-5-78) ON MAY 29, 1979 AND AMENDED ON AUGUST 7, 1995, ON PROPERTY COMMONLY KNOWN AS 1801 BASSETT STREET, LANSING, MICHIGAN, MORE FULLY DESCRIBED AS:

THAT PART OF LOTS 15, 16, AND 26, ASSESSOR'S PLAT NO. 11, ON THE NORTHWEST 1/4 OF SECTION 8, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 10 OF PLATS, PAGE 14 OF THE INGHAM COUNTY RECORDS, DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF LOT 26 AND THE SOUTH LINE OF BASSETT AVENUE; THENCE S00°20'34" W, 132.00 FEET ALONG THE EAST LINE OF LOT 26; THENCE N89°38'57" W, 0.30 FEET ALONG THE SOUTH LINE OF LOT 26; THENCE S00°21'30" W, 197.95 FEET ALONG THE WEST LINE OF THE EAST 396.00 FEET OF LOT 16; THENCE S89°38'57" E, 0.27 FEET ALONG THE SOUTH LINE OF LOT 16; THENCE S00°20'48" W, 131.96 FEET ALONG THE WEST LINE OF THE EAST 99.00 FEET OF LOT 15; THENCE N89°38'57" W, 70.30 FEET ALONG THE SOUTH LINE OF LOT 15; THENCE N00°21'30" E, 461.91 FEET TO THE SOUTH LINE OF BASSETT AVENUE; THENCE S89°38'57" E, 70.26 FEET ALONG THE SOUTH LINE OF BASSETT AVENUE TO THE POINT OF BEGINNING. CONTAINING 0.74 ACRES, MORE OR LESS.

WHEREAS, ATMOSPHERE ANNEALING, INC. HAS APPLIED FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR THE CONSTRUCTION AND EQUIPPING OF A NEW FACILITY WITHIN SAID ESTABLISHED DISTRICT; AND

WHEREAS, PRIOR TO ACTING ON THIS REQUEST, IT IS NECESSARY TO HOLD A PUBLIC HEARING ON ATMOSPHERE ANNEALING, INC.'S APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE (IFT-1-97), TO ALLOW FOR ANY RESIDENTS AND TAXPAYERS TO APPEAR AND BE HEARD; AND

NOW, THEREFORE BE IT RESOLVED THAT SUCH PUBLIC HEARING SHALL BE HELD IN THE CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, LANSING, MICHIGAN, ON MONDAY, THE 15 TH DAY OF DECEMBER, 1997 AT 7:00 P.M. AND THAT NOTICE OF SUCH HEARING BE PUBLISHED IN A PUBLICATION OF GENERAL CIRCULATION OF SAID CITY, AND THAT THE CITY CLERK BE REQUESTED TO GIVE AT LEAST TEN (10) DAYS NOTICE OF A PUBLIC HEARING AND THAT THE LEGISLATIVE BODY OF EACH TAXING UNIT LEVYING AD VALOREM TAXES ON THIS PROPERTY AS WELL AS THE OWNERS OF REAL PROPERTY LOCATED WITHIN THE ESTABLISHED DISTRICT BE ALSO NOTIFIED OF THIS APPLICATION AND THE SCHEDULED PUBLIC HEARING.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #650

BY COUNCILMEMBER HAROLD LEEMAN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REQUIRE THAT THE GOVERNING BODY



APPOINT A DESIGNATED REPRESENTATIVE TO BE RESPONSIBLE FOR, AND TO REPRESENT THE CITY OF LANSING FOR EPA GRANTS AND SRF PROGRAMS AWARDED TO THE CITY OF LANSING, MICHIGAN;

NOW, THEREFORE, BE IT RESOLVED THAT THE DIRECTOR OR INTERIM DIRECTOR OF PUBLIC SERVICE SHALL BE THE DESIGNATED REPRESENTATIVE FOR THE CITY OF LANSING, WITH THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, EFFECTIVE DECEMBER 2, 1997.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

## ORDINANCES FOR INTRODUCTION

### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-20-97, 1110 W. ALLEGAN ST., COMMERCIAL TO "C" RESIDENTIAL DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

### RESOLUTION #651

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, DECEMBER 8, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-20-97, 1110 W. ALLEGAN ST., "F"  
COMMERCIAL TO "C" RESIDENTIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

### INTRODUCTION OF ORDINANCES

THE FOLLOWING ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY PROVIDING FOR THE REZONING OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT:

Z-22-97, VACANT LAND 1100 BLK. E. MILLER (S. SIDE), "A" RESIDENTIAL TO "G-2" WHOLESALE

### DISTRICT

WAS INTRODUCED BY COUNCILMEMBER LILLY, READ A FIRST AND SECOND TIME BY ITS TITLE AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING.

### RESOLUTION #652

BY COUNCILMEMBER LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, DECEMBER 8, 1997 AT 7 P.M. IN CITY COUNCIL CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, FOR THE PURPOSE OF APPROVING AND/OR OPPOSING THE ORDINANCE FOR REZONING:

Z-22-97, VACANT LAND 1100 BLK. E. MILLER (S. SIDE), "A" RESIDENTIAL TO "G-2" WHOLESALE DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

## ORDINANCES FOR PASSAGE

THERE WERE NO ORDINANCES FOR PASSAGE

## OTHER BUSINESS

### ► PUBLIC COMMENT ON CITY RELATED MATTERS

COUNCILMEMBER LILLY LEFT AND WAS EXCUSED FROM THIS MEETING OF THE LANSING CITY COUNCIL AT 8:40 P.M.

FRANK CURTIS "X", NO ADDRESS GIVEN, DISPLAYED LITERATURE HE HAS BEEN READING.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. NOTED THAT COOLEY LAW SCHOOL WILL CELEBRATE THEIR 25TH ANNIVERSARY TWO MONTHS FROM NOW. HE HOPES THAT THE CITY WILL SUPPORT THEIR EXPANSION EFFORTS, AS THEY ARE ONE OF THE BEST PRODUCERS OF LAWYERS IN THE COUNTRY. HE SUGGESTED THAT THE CITY APPLY FOR GRANTS FOR FUTURISTIC DESIGN OF HOUSES.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH STATED HER SUPPORT FOR THE SMALL BUSINESS FINANCING PROJECT FOR CLARA'S. SHE SUGGESTED THAT LANDLORDS TAKE PICTURES OF THEIR PROPERTIES PRIOR TO RENTING THEM TO TENANTS. THE PICTURES SHOULD THEN BE PLACED ON FILE WITH THE CITY. IN THIS WAY, THE CITY WOULD FIND OUT WHO THE REAL SLOBS REALLY ARE. SHE SPOKE REGARDING THE GAY RIGHTS MOVEMENT.

REVEREND LESTER STONE OF 1603 W. KALAMAZOO THANKED ALL OF THE CITIZENS WHO VOTED IN SUPPORT OF THE CITIZENS REVIEW BOARD BALLOT ISSUE. THEIR COMMITTEE APPRECIATES THE SUPPORT. THEY HAVE NOT BEEN DEFEATED, ONLY TEMPORARILY DELAYED. THEY WILL GIVE VOTERS ANOTHER OPPORTUNITY TO ESTABLISH THIS



TYPE OF REVIEW BOARD IN THE CITY. HE ASSURED EVERYONE WHO SUPPORTED THIS EFFORT THAT THEY WILL TRY AGAIN. THE CITY CHARTER WAS REJECTED TWICE BEFORE IT'S EVENTUAL ADOPTION. THE NAME CHANGE FROM LOGAN STREET TO MARTIN LUTHER KING JR BLVD. TOOK SEVEN YEARS. ONLY ONE YEAR HAS GONE INTO THE CITIZENS REVIEW BOARD ISSUE. THEY WILL PREVAIL OVER TIME.

ROBERT BENNETT OF 222 W. SAGINAW SPOKE REGARDING THE LACK OF COUNCIL REPRESENTATIVES AT THE EAST SIDE NETWORK CENTER MEETINGS.

ALBERTA JORDAN OF 1649 GREENCREST IN E. LANSING CRITICIZED THE INCOMPETENCE OF THE COURT APPOINTED ATTORNEY THAT WAS ASSIGNED TO HER SON'S DEFENSE.

WILLIE VAUGHAN OF 3201 VIKING ST. SPOKE IN SUPPORT OF THE HOUSING CODE AMENDMENT. SHE SAID THAT A LOT OF LANDLORDS BUY HOUSES AND DO NOT FIX THEM UP. NOR DO THEY REGISTER THEM WITH THE CITY. A LOT OF TENANTS DO NOT KNOW THEIR RIGHTS, OR THE OBLIGATIONS OF THE LANDLORD. HE STATED HIS SUPPORT OF THE GAY RIGHTS ISSUE.

#### CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTERS FROM THE MAYOR RE:

A/ PETITION FOR THE ADDITION OF CLIFTON AVENUE TO THE STREET REPAIRS NEEDS LIST

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B/ DESIGNATION OF THE PUBLIC SERVICE DIRECTOR AS THE REPRESENTATIVE FOR THE CITY OF LANSING FOR EPA GRANTS AND SRF PROGRAM FUNDS

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C/ LETTER FROM THE OLDTOWN MAINSTREET COMMERCIAL ASSOCIATION IN SUPPORT OF A NORTH SIDE POLICE PRECINCT LOCATED IN THE PRUDEN BUILDING SITE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

D/ LETTERS OF APPRECIATION TO THE LANSING FIRE DEPARTMENT

RECEIVED AND PLACED ON FILE

E. SUSPENSION ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM THE MAYOR SUBMITTING AN ORDINANCE ADDING A NEW CHAPTER, CHAPTER 1067, SECTION 1067.01 THROUGH 1067.99 PROVIDING THAT THE LANSING FIRE DEPARTMENT MAY CHARGE LOCAL OUTSIDE AGENCIES AND PRIVATE INDIVIDUALS FOR FIREFIGHTER TRAINING SERVICES

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. SUSPENSION ITEM FROM COUNCILMEMBER LEEMAN; A RESOLUTION APPOINTING BOND COUNCIL FOR THE CSO PROJECT

REFERRED TO THE COMMITTEE OF THE WHOLE

#### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. PETITION FOR SPECIAL RELIEF FROM HORIZON BROADCASTING CORPORATION FOR MANDATORY CARRIAGE RIGHTS IN CABLE TELEVISION COMMUNITIES

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

2. LETTER FROM CHRISTINE TIMMON REGARDING CIVIL RIGHTS

RECEIVED AND PLACED ON FILE

3. NOTICE FROM THE STATE OF MICHIGAN OF A PUBLIC HEARING ON PROPOSED BUILDING OFFICIALS, PLAN REVIEWERS AND INSPECTOR RULES TO BE HELD ON DECEMBER 3, 1997 AT THE BUREAU OF CONSTRUCTION CODES CONFERENCE ROOM 3, 2501 WOODLAKE CIRCLE, OKEMOS, MI

REFERRED TO THE MAYOR

4. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF APPLICATION FOR A PERMIT FOR CONSTRUCTION IN THE FLOODPLAIN OF THE SYCAMORE CREEK FILED BY INGHAM COUNTY PARKS DEPARTMENT FOR THEIR CAVANAUGH RD. SITE

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

5. LETTER FROM BARYAMES CLEANERS IN SUPPORT OF THE PRUDEN BUILDING DEVELOPMENT

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES, LIQUOR CONTROL COMMISSION OF THE AVAILABILITY OF AN ADDITIONAL FULL YEAR ON PREMISE CLASS C AND SDM LIQUOR LICENSES FOR THE CITY OF LANSING

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY CLERK

7. NOTICE FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY OF INTENT TO REISSUE A DISCHARGE PERMIT TO LOUIS PADNOS IRON & METAL CO., FOR A FACILITY LOCATED AT 1900 W. WILLOW FOR THE



DISCHARGE OF TREATED STORM WATER RUNOFF INTO THE GRAND RIVER VIA A CITY STORM SEWER

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

8. LETTER FROM DAN STOUTER OF 700 W. WILLOW REGARDING PEDESTRIAN TRAFFIC PROBLEMS AT THE MID-MICHIGAN PUBLIC SCHOOL ACADEMY

REFERRED TO THE MAYOR AND THE PUBLIC SAFETY COMMITTEE

9. LETTER FROM MARK LIENBY REQUESTING A LIQUOR LICENSE FOR A RESTAURANT TO BE LOCATED AT 621 E. MICHIGAN AVE.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY CLERK

10. STORMWATER APPEAL OF DAN MILLER FOR PROPERTY LOCATED AT 1823-25 HOYT FOR 1996, 1997 AND FUTURE BILLS

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

#### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BAUER REPORTED STOPPING TO VISIT THE CATA TRANSPORTATION CENTER. SHE URGED THE PUBLIC TO STOP IN AND LOOK AROUND THIS WONDERFUL FACILITY THAT WILL PROVIDE SUCH A WORTHWHILE SERVICE TO LANSING CUSTOMERS. ALL OF THE FUNDING FOR THIS BUILDING WAS FEDERAL. SHE CONGRATULATED CATA ON THE COMPLETION OF THIS PROJECT. SHE CONGRATULATED THE UNITED WAY ON THE SUCCESS OF THEIR CAMPAIGN. THEY RAISED OVER \$6,000,000. SHE THANKED EVERYONE WHO WORKED ON THIS CAUSE. SHE COMMENDED THE DISTRICT LIBRARY BOARD FOR DECIDING TO PAY THE UTILITY COSTS AND MAINTENANCE COSTS OF THE DISTRICT LIBRARY. THIS WILL REQUIRE BUDGETING EFFORTS. SHE EXPLAINED THE INTRICACIES OF THE COUNTY FINANCING OF LIBRARY BRANCH OFFICES. SHE REMINDED LANSING RESIDENTS THAT RESIDENTS IN SUBURBAN AREAS HAD TO PAY TO HAVE THEIR TREES AND TREE LIMBS PICKED UP. LANSING COLLECTED THESE ITEMS FREE OF CHARGE TO ITS RESIDENTS. SHE COMMENDED VETERANS OF FOREIGN WARS THROUGHOUT THE COUNTRY FOR THEIR EFFORTS TO PROTECT THE QUALITY OF LIFE IN THE UNITED STATES.

COUNCILMEMBER JONES SAID THAT ALL OF THE TAXPAYERS OF LANSING PAY TO SUPPORT THE INGHAM COUNTY INTERMEDIATE SCHOOL DISTRICT, YET THEY RECEIVE VERY LITTLE IN RETURN FOR THIS INVESTMENT. THEIR BOARD IS NOT ELECTED, IT IS APPOINTED. THIS IS A BAD SCENE.

COUNCILMEMBER BENAVIDES WISHED A "HAPPY BIRTHDAY" TO DAVE WIENER.

COUNCILMEMBER LEEMAN THANKED THE GENERAL SERVICES COMMITTEE FOR THE WORK THEY ARE DOING ON THE STORM WATER ENTERPRISE APPEALS.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER SAID THAT THIS THURSDAY, NOVEMBER 20, 1997, AT 7:00 P.M. AT THE LETTS COMMUNITY CENTER THEY WILL HAVE THE APPLICATIONS AND THE CLASS ON HOW TO FILL THEM OUT, FOR THE MAYOR'S NEIGHBORHOOD GRANTS PROGRAM. HE URGED INTERESTED PARTIES TO ATTEND.

**ADJOURNED 9:15 P.M.  
MARILYNN SLADE, CITY CLERK**





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF NOVEMBER 24, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF NOVEMBER 3, AND NOVEMBER 10, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LEEMAN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LEEMAN; A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF INTENT TO BOND FOR THE CSO PROJECT
2. FROM COUNCILMEMBER LEEMAN; A RESOLUTION FOR TRANSFER OF FUNDS FOR THE PARKS & RECREATION DEPT. - FOSTER COMMUNITY CENTER
3. FROM COUNCILMEMBER ALLEN; A LETTER OF COMPLAINT FROM VIRGINIA AND LEWIS BOZEK REGARDING THEIR REQUEST FOR AN INVESTIGATION OF THE DEATH OF THEIR SON, GARY BOZEK
4. FROM COUNCILMEMBER BENAVIDES; A SUBSTITUTE ORDINANCE FOR THE RECODIFICATION OF THE CITY'S CODE OF ORDINANCES
5. FROM COUNCILMEMBER JONES; A REQUEST FOR FUNDING OF PLAYGROUND EQUIPMENT FROM THE GENESEE NEIGHBORHOOD ASSOCIATION
6. FROM COUNCILMEMBER LILLY; A REQUEST THAT THE ORDINANCE REZONING Z-16-97, 113 PERE MARQUETTE ST., AND THE ASSOCIATED COMMITTEE REPORT RECOMMENDING IT'S ADOPTION BE PULLED FROM THE AGENDA AND REFERRED BACK TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER ALLEN ANNOUNCED THAT 29 (TWENTY-NINE) TRUANTS WERE PICKED UP IN TODAY'S SWEEP.

COUNCILMEMBER BAUER URGED RESIDENTS TO VISIT THE WONDERLAND OF LIGHTS AT POTTER PARK ZOO. THIS LUMINARY EVENT IS OPEN FROM 5:00 P.M. TO 8:00 P.M. EVERYDAY AT THE ZOO THROUGH THE END OF DECEMBER. CHILDREN UNDER 5 ARE FREE OF CHARGE. ALSO, SPECIAL FOR THE HOLIDAY SEASON, THE FESTIVAL OF TREES KICKS OFF THIS WEDNESDAY AT THE LANSING CENTER. THERE ARE MANY FAMILY ORIENTED EVENTS PLANNED FOR THIS YEAR'S FESTIVAL, AND ALL PROCEEDS GO TO ONCOLOGY SERVICES AND PROGRAMS.

COUNCILMEMBER JONES SPOKE REGARDING THE UNCERTAIN NATURE OF GENERAL MOTORS FUTURE IN THE LANSING AREA. THE GRAND RAPIDS PRESS REPORTED YESTERDAY THAT THE BUICK CITY OPERATION IN FLINT WILL BE CLOSING DOWN COSTING OVER 5,000 JOBS. THIS SHOULD BE VERY ALARMING TO EVERY LANSING AREA RESIDENT WHO MAKES THEIR LIVING FROM GM, AND ILLUSTRATES THE VALIDITY OF THE CONCERNS EXPRESSED BY MEMBERS OF THIS CITY COUNCIL FOR THE PAST FOUR YEAR. HE URGED COUNCILMEMBERS ELECT TO TAKE THIS ISSUE SERIOUSLY.

MR. WIENER GAVE AN UPDATE ON THE TREE/LIMB CLEARING PROCESS. THEY ARE CURRENTLY 1/2 WAY THROUGH THE CITY IN THE CLEANUP. THERE ARE 4 (FOUR) CREWS WORKING. ALL OF THE NORTH/SOUTH ARTERIES ARE COMPLETELY CLEAR AND THE MAJOR EAST/WEST ROADS ARE CLEAR. ALL OF THE CREWS SHOULD BE NORTH OF I-496 BY DECEMBER 1 ST. THE CITY'S PARKS WILL BE THE LAST TO BE CLEARED. THIS IS A VERY LENGTHY, TIME-CONSUMING PROCESS. THE CREWS WILL BE OFF OVER THE THANKSGIVING HOLIDAY.

COUNCILMEMBER ALLEN SAID THAT SOME RESIDENTS ON THE SOUTH SIDE ARE GETTING IMPATIENT WITH THE TREE CLEAN-UP PROCESS AND ARE AFRAID THAT THEIR TREES LIMBS WILL FREEZE TO THE GROUND. SHE ASKED IF THERE IS ANY INDICATION OF WHEN THE TREE CLEAN-UP WILL BE COMPLETED. SHE REPORTED THAT THE TRAFFIC LIGHT AT THE INTERSECTION OF PLEASANT GROVE AND JOLLY IS OUT OF ORDER, AND ASKED THAT IT BE REPAIRED.

MR. WIENER SAID THEY HOPE TO COMPLETE THE CLEAN-UP BY MID DECEMBER, BUT DEFINITELY BY CHRISTMAS.

► SPECIAL CEREMONIES



A. COUNCILMEMBER NOVAK INTRODUCED LORENZO LOPEZ AND HIS CLASS FROM CRISTO REY COMMUNITY CENTER, WHO DESIGNED AND PAINTED A "NO SMOKING" MURAL. MR. LOPEZ SPOKE REGARDING THE PROLIFERATION OF BILLBOARDS THAT ENCOURAGE KIDS TO SMOKE, SAYING, THAT THESE TYPES OF ADVERTISEMENTS ARE VERY DIFFICULT TO FIGHT.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### **► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:**

1. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 1442; SECTION 1442.22 OF THE SIGN CODE FOR THE PURPOSE AMENDING THE BILLBOARD PROVISIONS OF THE SIGN CODE

JOJO MARTINEZ, WHO LIVES ON SADIE COURT, HERE TONIGHT FROM THE CRISTO REY COMMUNITY CENTER, SAID THAT HE IS A STUDENT AT OTTO MIDDLE SCHOOL AND SUPPORTS THE REMOVAL OF ALL TOBACCO BILLBOARDS. THE CITY OF LANSING SHOULD BAN THEM.

JASON MOORE, A STUDENT AT OTTO MIDDLE SCHOOL, HERE TONIGHT FROM THE CRISTO REY COMMUNITY CENTER, SAID THAT HE OPPOSES TOBACCO BILLBOARDS. HE ADVOCATES A MORATORIUM ON TOBACCO PRODUCTS.

CHARLES REYES, A STUDENT OF PATTENGIL MIDDLE SCHOOL, HERE TONIGHT FROM THE CRISTO REY COMMUNITY CENTER, ADVOCATED THE REMOVAL OF ALL TOBACCO AND ALCOHOL BILLBOARDS, AND SAID THAT THEY SHOULD BE BANNED. ALL THEY DO IS GET KIDS TO DRINK AND SMOKE AND SPEND THEIR MONEY ON DEADLY CHEMICALS.

DEANGELO BURTON OF 1319 OHIO, HERE TONIGHT FROM CRISTO REY COMMUNITY CENTER, SUPPORTED A BAN ON ALL TOBACCO BILLBOARDS AND THE USE OF TOBACCO IN MOVIES.

SHAKIRA SCOTT, A STUDENT AT GRAND RIVER ELEMENTARY SCHOOL, HERE TONIGHT FROM THE CRISTO REY COMMUNITY CENTER SUPPORTED A BAN ON ALL TOBACCO BILLBOARDS IN THE CITY.

JOE ROSS, A STUDENT AT EASTERN HIGH SCHOOL, HERE TONIGHT FROM CRISTO REY COMMUNITY CENTER ADVOCATED A BAN ON TOBACCO BILLBOARDS, BECAUSE THEY ARE DESTROYING KIDS AND TEENAGERS. TOBACCO COMPANIES ARE JUST TRYING TO GET RICH ON THE MONEY OF THESE KIDS.

LORENZO LOPEZ FROM THE CRISTO REY COMMUNITY CENTER SAID THAT SAID THAT THE MAJORITY OF BILLBOARDS IN LANSING THAT ADVERTISE SMOKING IS LARGER THAN IN SUBURBAN AREAS. HE TIED THIS TO SOCIO-ECONOMIC FACTORS, AND SAID THAT IT IS HARD TO EXPLAIN TO CHILDREN.

MIKE SAUNDERS OF 5310 TULIP SAID THAT HE HAS BEEN AN ARCHITECT FOR 33 YEARS. HE SUPPORTS THIS PROPOSED AMENDMENT TO THE SIGN CODE. HE BELIEVES THAT THE REST OF THE STATE LOOKS TO LANSING FOR LEADERSHIP AND TO HAVE EXAMPLES SET. LANSING IS IN A POSITION TO

ASSERT IT'S WORLD CLASS CITY STATUS BY AFFECTING THE STREETS, WHICH ARE THE GATEWAYS TO THE CITY.

CAROL WEBSTER, DIRECTOR OF THE POTTER PARK ZOOLOGICAL SOCIETY, SAID THAT THE ZOOLOGICAL SOCIETY SUPPORTS THE USE OF BILLBOARDS. THEY USE THEM HEAVILY TO ADVERTISE THE ZOO.

BONNIE BENNETT OF 222 W. SAGINAW SAID THAT SHE SUPPORTS THIS AMENDMENT, BUT THAT IT NEEDS MORE EXACT DESCRIPTIONS OF WHAT CONSTITUTES A BILLBOARD.

ED CARPENTER OFF 119 S. LARCH, OWNER OF LISKEY'S" STATED HIS SUPPORT FOR THE USE OF BILLBOARDS. HE HAS SEEN HIS BUSINESS INCREASE BY OVER 25% AND HAS HAD TO ADD TWO EMPLOYEES SINCE HE BEGAN USING BILLBOARD ADVERTISEMENT. HE IS CONCERNED ABOUT THE REMOVAL OF BILLBOARDS FROM LANSING, BECAUSE IT WILL DRIVE THE COST OF REMAINING IN BUSINESS IN LANSING UP.

WILLIAM HUBBELL 3916 WEDGEWOOD SAID THAT HE WOULD LIKE TO SEE ALL TOBACCO PRODUCTS BILLBOARDS IN THE CITY REPLACED.

GRETCHEN COURAUD OF 1831 RIDGEWOOD, VICE PRESIDENT OF THE LANSING REGIONAL CHAMBER OF COMMERCE, STATED HER OPPOSITION TO THIS ORDINANCE AMENDMENT. SHE ASKED COUNCIL TO PLEASE LOOK CLOSELY AT THE ORDINANCE AND ACT CONSCIENTIOUSLY. THE IMPACTS OF THIS AMENDMENT WOULD BE CONSIDERABLE, AND THE GOALS OF IT SEEM TO LACK LOGIC. COUNCIL NEEDS TO CLARIFY THE GOALS OF THE ORDINANCE. SOME PARTS OF THE CURRENT PROPOSAL WOULD SEEM TO CAUSE RESTRAINT OF TRADE. ADDITIONALLY, THEY ARE CONCERNED ABOUT LIMITING FIRST AMENDMENT RIGHTS. BILLBOARD ADVERTISING IS VITAL TO THE HEALTH OF SMALL BUSINESSES, PUBLIC AWARENESS, COMMUNITY EDUCATION, AND FREEDOM OF SPEECH. SHE URGED COUNCILMEMBERS TO PROCEED WITH CAUTION. THE DYNAMICS IN LANSING ARE UNLIKE THOSE IN EAST LANSING AND MERIDIAN TOWNSHIP. LANSING NEEDS TO LOOK AT IT'S OWN UNIQUE SITUATION AS A "WORLD CLASS CAPITAL CITY."

SUE AND BOB, YOUTH PAC MEMBERS FROM EAST LANSING, STATED THEIR SUPPORT OF A BAN ON TOBACCO AND ALCOHOL RELATED BILLBOARD ADVERTISEMENTS. THEY PARTICIPATED IN A SURVEY OF THE TOP CONCERNS OF TEENAGERS. THE TWO TOP RANKED CONCERNS WERE TOBACCO AND ALCOHOL USE. LANSING NEEDS TO SHOW A POSITIVE FACT TO THE REST OF THE AREA AND THE STATE, THEY SAID.

KEVIN SMITH OF 631 SPALDING, REPRESENTING ADAMS OUTDOOR ADVERTISING, SAID THAT THIS ORDINANCE WOULD ENDANGER HIS JOB. IT CONSTITUTES AN ESSENTIAL BILLBOARD BAN BY CUTTING THE NUMBER OF BILLBOARDS ALLOWED IN THE CITY, THEREBY RISKING HIS JOB. THERE ARE MANY BILLBOARDS DONATED TO COMMUNITY SERVICE, SUCH AS IMPRESSION 5 MUSEUM AND SILVER BELLS IN THE CITY, AND THE APPLE PIE CELEBRATION. HE READ A LETTER FROM KELLY THOMPSON OF THE PRINCIPAL SHOPPING DISTRICT IN SUPPORT OF LANSING'S BILLBOARDS. THESE BILLBOARDS PLAY AN IMPORTANT ROLL IN OUR BUSINESS CLIMATE. THEY ARE A COST EFFECTIVE, USEFUL ADVERTISING





**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF NOVEMBER 24, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER NOVAK

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF NOVEMBER 3, AND NOVEMBER 10, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LEEMAN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LEEMAN; A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF INTENT TO BOND FOR THE CSO PROJECT
2. FROM COUNCILMEMBER LEEMAN; A RESOLUTION FOR TRANSFER OF FUNDS FOR THE PARKS & RECREATION DEPT. - FOSTER COMMUNITY CENTER
3. FROM COUNCILMEMBER ALLEN; A LETTER OF COMPLAINT FROM VIRGINIA AND LEWIS BOZEK REGARDING THEIR REQUEST FOR AN INVESTIGATION OF THE DEATH OF THEIR SON, GARY BOZEK
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6. FROM COUNCILMEMBER LILLY; A REQUEST THAT THE ORDINANCE REZONING Z-16-97, 113 PERE MARQUETTE ST., AND THE ASSOCIATED COMMITTEE REPORT RECOMMENDING IT'S ADOPTION BE PULLED FROM THE AGENDA AND REFERRED BACK TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER ALLEN ANNOUNCED THAT 29 (TWENTY-NINE) TRUANTS WERE PICKED UP IN TODAY'S SWEEP.

COUNCILMEMBER BAUER URGED RESIDENTS TO VISIT THE WONDERLAND OF LIGHTS AT POTTER PARK ZOO. THIS LUMINARY EVENT IS OPEN FROM 5:00 P.M. TO 8:00 P.M. EVERYDAY AT THE ZOO THROUGH THE END OF DECEMBER. CHILDREN UNDER 5 ARE FREE OF CHARGE. ALSO, SPECIAL FOR THE HOLIDAY SEASON, THE FESTIVAL OF TREES KICKS OFF THIS WEDNESDAY AT THE LANSING CENTER. THERE ARE MANY FAMILY ORIENTED EVENTS PLANNED FOR THIS YEAR'S FESTIVAL, AND ALL PROCEEDS GO TO ONCOLOGY SERVICES AND PROGRAMS.

COUNCILMEMBER JONES SPOKE REGARDING THE UNCERTAIN NATURE OF GENERAL MOTORS FUTURE IN THE LANSING AREA. THE GRAND RAPIDS PRESS REPORTED YESTERDAY THAT THE BUICK CITY OPERATION IN FLINT WILL BE CLOSING DOWN COSTING OVER 5,000 JOBS. THIS SHOULD BE VERY ALARMING TO EVERY LANSING AREA RESIDENT WHO MAKES THEIR LIVING FROM GM, AND ILLUSTRATES THE VALIDITY OF THE CONCERNS EXPRESSED BY MEMBERS OF THIS CITY COUNCIL FOR THE PAST FOUR YEAR. HE URGED COUNCILMEMBERS ELECT TO TAKE THIS ISSUE SERIOUSLY.

MR. WIENER GAVE AN UPDATE ON THE TREE/LIMB CLEARING PROCESS. THEY ARE CURRENTLY 1/2 WAY THROUGH THE CITY IN THE CLEANUP. THERE ARE 4 (FOUR) CREWS WORKING. ALL OF THE NORTH/SOUTH ARTERIES ARE COMPLETELY CLEAR AND THE MAJOR EAST/WEST ROADS ARE CLEAR. ALL OF THE CREWS SHOULD BE NORTH OF I-496 BY DECEMBER 1 ST. THE CITY'S PARKS WILL BE THE LAST TO BE CLEARED. THIS IS A VERY LENGTHY, TIME-CONSUMING PROCESS. THE CREWS WILL BE OFF OVER THE THANKSGIVING HOLIDAY.

COUNCILMEMBER ALLEN SAID THAT SOME RESIDENTS ON THE SOUTH SIDE ARE GETTING IMPATIENT WITH THE TREE CLEAN-UP PROCESS AND ARE AFRAID THAT THEIR TREES LIMBS WILL FREEZE TO THE GROUND. SHE ASKED IF THERE IS ANY INDICATION OF WHEN THE TREE CLEAN-UP WILL BE COMPLETED. SHE REPORTED THAT THE TRAFFIC LIGHT AT THE INTERSECTION OF PLEASANT GROVE AND JOLLY IS OUT OF ORDER, AND ASKED THAT IT BE REPAIRED.

MR. WIENER SAID THEY HOPE TO COMPLETE THE CLEAN-UP BY MID DECEMBER, BUT DEFINITELY BY CHRISTMAS.

► SPECIAL CEREMONIES



A. COUNCILMEMBER NOVAK INTRODUCED LORENZO LOPEZ AND HIS CLASS FROM CRISTO REY COMMUNITY CENTER, WHO DESIGNED AND PAINTED A "NO SMOKING" MURAL. MR. LOPEZ SPOKE REGARDING THE PROLIFERATION OF BILLBOARDS THAT ENCOURAGE KIDS TO SMOKE, SAYING, THAT THESE TYPES OF ADVERTISEMENTS ARE VERY DIFFICULT TO FIGHT.

### **PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS**

#### **► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:**

1. IN CONSIDERATION OF AN AMENDMENT TO CHAPTER 1442, SECTION 1442.22 OF THE SIGN CODE FOR THE PURPOSE AMENDING THE BILLBOARD PROVISIONS OF THE SIGN CODE

JOJO MARTINEZ, WHO LIVES ON SADIE COURT, HERE TONIGHT FROM THE CRISTO REY COMMUNITY CENTER, SAID THAT HE IS A STUDENT AT OTTO MIDDLE SCHOOL AND SUPPORTS THE REMOVAL OF ALL TOBACCO BILLBOARDS. THE CITY OF LANSING SHOULD BAN THEM.

JASON MOORE, A STUDENT AT OTTO MIDDLE SCHOOL, HERE TONIGHT FROM THE CRISTO REY COMMUNITY CENTER, SAID THAT HE OPPOSES TOBACCO BILLBOARDS. HE ADVOCATES A MORATORIUM ON TOBACCO PRODUCTS.

CHARLES REYES, A STUDENT OF PATTENGIL MIDDLE SCHOOL, HERE TONIGHT FROM THE CRISTO REY COMMUNITY CENTER, ADVOCATED THE REMOVAL OF ALL TOBACCO AND ALCOHOL BILLBOARDS, AND SAID THAT THEY SHOULD BE BANNED. ALL THEY DO IS GET KIDS TO DRINK AND SMOKE AND SPEND THEIR MONEY ON DEADLY CHEMICALS.

DEANGELO BURTON OF 1319 OHIO, HERE TONIGHT FROM CRISTO REY COMMUNITY CENTER, SUPPORTED A BAN ON ALL TOBACCO BILLBOARDS AND THE USE OF TOBACCO IN MOVIES.

SHAKIRA SCOTT, A STUDENT AT GRAND RIVER ELEMENTARY SCHOOL, HERE TONIGHT FROM THE CRISTO REY COMMUNITY CENTER SUPPORTED A BAN ON ALL TOBACCO BILLBOARDS IN THE CITY.

JOE ROSS, A STUDENT AT EASTERN HIGH SCHOOL, HERE TONIGHT FROM CRISTO REY COMMUNITY CENTER ADVOCATED A BAN ON TOBACCO BILLBOARDS, BECAUSE THEY ARE DESTROYING KIDS AND TEENAGERS. TOBACCO COMPANIES ARE JUST TRYING TO GET RICH ON THE MONEY OF THESE KIDS.

LORENZO LOPEZ FROM THE CRISTO REY COMMUNITY CENTER SAID THAT SAID THAT THE MAJORITY OF BILLBOARDS IN LANSING THAT ADVERTISE SMOKING IS LARGER THAN IN SUBURBAN AREAS. HE TIED THIS TO SOCIO-ECONOMIC FACTORS, AND SAID THAT IT IS HARD TO EXPLAIN TO CHILDREN.

MIKE SAUNDERS OF 5310 TULIP SAID THAT HE HAS BEEN AN ARCHITECT FOR 33 YEARS. HE SUPPORTS THIS PROPOSED AMENDMENT TO THE SIGN CODE. HE BELIEVES THAT THE REST OF THE STATE LOOKS TO LANSING FOR LEADERSHIP AND TO HAVE EXAMPLES SET. LANSING IS IN A POSITION TO

ASSERT IT'S WORLD CLASS CITY STATUS BY AFFECTING THE STREETS, WHICH ARE THE GATEWAYS TO THE CITY.

CAROL WEBSTER, DIRECTOR OF THE POTTER PARK ZOOLOGICAL SOCIETY, SAID THAT THE ZOOLOGICAL SOCIETY SUPPORTS THE USE OF BILLBOARDS. THEY USE THEM HEAVILY TO ADVERTISE THE ZOO.

BONNIE BENNETT OF 222 W. SAGINAW SAID THAT SHE SUPPORTS THIS AMENDMENT, BUT THAT IT NEEDS MORE EXACT DESCRIPTIONS OF WHAT CONSTITUTES A BILLBOARD.

ED CARPENTER OFF 119 S. LARCH, OWNER OF LISKEY'S" STATED HIS SUPPORT FOR THE USE OF BILLBOARDS. HE HAS SEEN HIS BUSINESS INCREASE BY OVER 25% AND HAS HAD TO ADD TWO EMPLOYEES SINCE HE BEGAN USING BILLBOARD ADVERTISEMENT. HE IS CONCERNED ABOUT THE REMOVAL OF BILLBOARDS FROM LANSING, BECAUSE IT WILL DRIVE THE COST OF REMAINING IN BUSINESS IN LANSING UP.

WILLIAM HUBBELL 3916 WEDGEWOOD SAID THAT HE WOULD LIKE TO SEE ALL TOBACCO PRODUCTS BILLBOARDS IN THE CITY REPLACED.

GRETCHEN COURAUD OF 1831 RIDGEWOOD, VICE PRESIDENT OF THE LANSING REGIONAL CHAMBER OF COMMERCE, STATED HER OPPOSITION TO THIS ORDINANCE AMENDMENT. SHE ASKED COUNCIL TO PLEASE LOOK CLOSELY AT THE ORDINANCE AND ACT CONSCIENTIOUSLY. THE IMPACTS OF THIS AMENDMENT WOULD BE CONSIDERABLE, AND THE GOALS OF IT SEEM TO LACK LOGIC. COUNCIL NEEDS TO CLARIFY THE GOALS OF THE ORDINANCE. SOME PARTS OF THE CURRENT PROPOSAL WOULD SEEM TO CAUSE RESTRAINT OF TRADE. ADDITIONALLY, THEY ARE CONCERNED ABOUT LIMITING FIRST AMENDMENT RIGHTS. BILLBOARD ADVERTISING IS VITAL TO THE HEALTH OF SMALL BUSINESSES, PUBLIC AWARENESS, COMMUNITY EDUCATION, AND FREEDOM OF SPEECH. SHE URGED COUNCILMEMBERS TO PROCEED WITH CAUTION. THE DYNAMICS IN LANSING ARE UNLIKE THOSE IN EAST LANSING AND MERIDIAN TOWNSHIP. LANSING NEEDS TO LOOK AT IT'S OWN UNIQUE SITUATION AS A "WORLD CLASS CAPITAL CITY."

SUE AND BOB, YOUTH PAC MEMBERS FROM EAST LANSING, STATED THEIR SUPPORT OF A BAN ON TOBACCO AND ALCOHOL RELATED BILLBOARD ADVERTISEMENTS. THEY PARTICIPATED IN A SURVEY OF THE TOP CONCERNS OF TEENAGERS. THE TWO TOP RANKED CONCERNS WERE TOBACCO AND ALCOHOL USE. LANSING NEEDS TO SHOW A POSITIVE FACT TO THE REST OF THE AREA AND THE STATE, THEY SAID.

KEVIN SMITH OF 631 SPALDING, REPRESENTING ADAMS OUTDOOR ADVERTISING, SAID THAT THIS ORDINANCE WOULD ENDANGER HIS JOB. IT CONSTITUTES AN ESSENTIAL BILLBOARD BAN BY CUTTING THE NUMBER OF BILLBOARDS ALLOWED IN THE CITY, THEREBY RISKING HIS JOB. THERE ARE MANY BILLBOARDS DONATED TO COMMUNITY SERVICE, SUCH AS IMPRESSION 5 MUSEUM AND SILVER BELLS IN THE CITY, AND THE APPLE PIE CELEBRATION. HE READ A LETTER FROM KELLY THOMPSON OF THE PRINCIPAL SHOPPING DISTRICT IN SUPPORT OF LANSING'S BILLBOARDS. THESE BILLBOARDS PLAY AN IMPORTANT ROLL IN OUR BUSINESS CLIMATE. THEY ARE A COST EFFECTIVE, USEFUL ADVERTISING



FACILITIES AUTHORITY HAS OBTAINED THE APPROPRIATE SIGNATURES TO TRANSFER JOINT OWNERSHIP FROM THE FINE HOST CORPORATION AND THE GREATER LANSING CONVENTION AND EXHIBITION AUTHORITY TO THE FINE HOST CORPORATION AND THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY OF THE CLASS C LIQUOR LICENSE AND DANCE PERMIT;

WHEREAS, THE COMMITTEE ON GENERAL SERVICES REVIEWED THE EXECUTED FORMS ON NOVEMBER 13, 1997;

WHEREAS, THE COMMITTEE ON GENERAL SERVICES APPROVED THE TRANSFER OF THE CLASS C LIQUOR LICENSE AND DANCE PERMIT JOINTLY TO THE FINE HOST CORPORATION AND THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR THE LANSING CONVENTION CENTER, LOCATED AT 333 EAST MICHIGAN AVENUE, LANSING, MICHIGAN;

NOW THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO APPROVES THE TRANSFER OF THIS CLASS C LIQUOR LICENSE AND DANCE PERMIT JOINTLY TO THE FINE HOST CORPORATION AND THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY FOR THE LANSING CONVENTION CENTER;

BE IT FURTHER RESOLVED, THE CITY CLERK IS REQUESTED TO NOTIFY THE FINE HOST CORPORATION AND THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY, AFTER APPROVED BY THE CITY COUNCIL.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED FOR THIS VOTE)

**RESOLUTION #656**

BY THE COMMITTEE ON PUBLIC SAFETY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS APPOINTED MARIA OLIVIA MEJORADO, 1200 CLIMAX, TO THE POLICE BOARD OF COMMISSIONERS; AND

WHEREAS, THE COMMITTEE ON PUBLIC SAFETY HAS RECOMMENDED CONFIRMATION OF THIS APPOINTMENT;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY CONFIRMS THE MAYOR'S APPOINTMENT OF MARIA OLIVIA MEJORADO TO THE POLICE BOARD OF COMMISSIONERS FOR A TERM TO EXPIRE JUNE 30, 2001.

BY COUNCILMEMBER ALLEN

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER LILLY ABSENT AND UNEXCUSED

FOR THIS VOTE)

**RESOLUTION #657**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY ATTORNEY HAS RECOMMENDED THE APPOINTMENT OF THE LAW FIRM OF MILLER, CANFIELD, PADDOCK & STONE OF LANSING, MICHIGAN AS BOND COUNSEL IN CONNECTION WITH THE PROPOSED FINANCING OF NEW AND REMODELED FIRE STATIONS, A POLICE FIRING RANGE, AND THE FIRE DEPARTMENT'S 800 MHZ RADIO SYSTEM (THE "IMPROVEMENTS"); AND

NOW THEREFORE, BE IT RESOLVED THAT THE LAW FIRM OF MILLER, CANFIELD, PADDOCK & STONE OF LANSING, MICHIGAN IS HEREBY APPOINTED AS BOND COUNSEL IN CONNECTION WITH THE ABOVE PROJECTS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #658**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE MAYOR HAS FORWARDED A REQUEST FROM THE SISTER CITY COMMISSION FOR FUNDING ASSISTANCE FOR ITS "1997 SILVER BELLS" FLOAT; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE REQUEST FROM THE SISTER CITY COMMISSION FOR \$500.00; AND

BE IT FURTHER RESOLVED THE MAYOR AND THE FINANCE DEPARTMENT WILL MAKE THE APPROPRIATE STEPS TO PROCESS THIS REQUEST; AND

BE IT FINALLY RESOLVED THE RENTAL OF THE WILL BE CHARGED TO THE COMMUNITY PROMOTIONS ACCOUNT - 101-173901-742189-0.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**ORDINANCES FOR PASSAGE**

THE PASSAGE OF THIS ORDINANCE WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY



BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-16-97; 113 PERE MARQUETTE, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-16-97; 113 PERE MARQUETTE, BE NOW PASSED

YEAS:

NAYS:

ABSENT:

PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

#### ORDINANCE #

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-16-97, 113 PERE MARQUETTE  
PARCEL NUMBERS: PPN 3301-16-277-301

COM SE COR LOT 33, TH N 64.10 FT TO CENTER OF WALL, W ON C/L WALL 172 FT TO W LINE LOT 33, S 63.58 FT TO S LINE LOT 33, E 172 FT TO BEG, ASSESSOR'S PLAT NO. 36 OF BLOCK 243, ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

FROM "H" LIGHT INDUSTRIAL TO "G-1" BUSINESS DISTRICT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

BY COUNCILMEMBER LEEMAN

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LEEMAN

THAT THE ORDINANCE WHEN READ BE CONSIDERED AS READ IN ITS ENTIRETY.

BY THE COMMITTEE OF THE WHOLE

BY COUNCILMEMBER LEEMAN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, FOR THE PURPOSE OF PROVIDING THAT THE 1987 CODE OF ORDINANCES AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH NOVEMBER 24, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED, INCLUDING, BUT NOT LIMITED TO; CHAPTER 654, SECTIONS 654.01 THROUGH 654.99, THE NOISE ORDINANCE, CHAPTER 296, SECTIONS 296.01 THROUGH 296.99, THE FAIR HOUSING ORDINANCE, CHAPTER 1046, SECTIONS 1046.01 THROUGH 1046.99, THE INDUSTRIAL PRETREATMENT ORDINANCE, AND CHAPTER 872, SECTIONS 872.01 THROUGH 872.99, THE VEHICLE FOR HIRE ORDINANCE, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE OF THE WHOLE

BY COUNCILMEMBER LEEMAN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, FOR THE PURPOSE OF PROVIDING THAT THE 1987 CODE OF ORDINANCES AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH NOVEMBER 24, 1997, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS BE APPROVED AND READOPTED, INCLUDING, BUT NOT LIMITED TO; CHAPTER 654, SECTIONS 654.01 THROUGH 654.99, THE NOISE ORDINANCE, CHAPTER 296, SECTIONS 296.01 THROUGH 296.99, THE FAIR HOUSING ORDINANCE, CHAPTER 1046, SECTIONS 1046.01 THROUGH 1046.99, THE INDUSTRIAL PRETREATMENT ORDINANCE, AND CHAPTER 872, SECTIONS 872.01 THROUGH 872.99, THE VEHICLE FOR HIRE ORDINANCE, BE NOW PASSED.

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK



NAYS: NONE

ABSENT: NONE

BY COUNCILMEMBER JONES

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY, SHALL TAKE EFFECT UPON IT'S PASSAGE

CARRIED UNANIMOUSLY

**ORDINANCE #977B**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, 1997;

WHEREAS, JUSTINIAN PUBLISHING COMPANY PREPARED AND THE CITY COUNCIL ADOPTED THE RECODIFICATION OF CITY ORDINANCES ON SEPTEMBER 28, 1987 IN ORDINANCE NO. 764;

WHEREAS, JUSTINIAN PUBLISHING COMPANY PUBLISHED THE RECODIFICATION OF CITY ORDINANCES ON OCTOBER 6, 1987;

WHEREAS, THE CODIFIED ORDINANCES OF THE CITY OF LANSING WERE EXTENDED ON SEPTEMBER 29, 1997 UNTIL DECEMBER 1, 1997;

WHEREAS, THE READOPTION OF CODIFIED ORDINANCES IS BEFORE THE CITY COUNCIL; AND NOW THEREFORE

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE 1987 CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH NOVEMBER 24, 1997, AS AMENDED, REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS ARE HEREBY APPROVED AND READOPTED AS THE CODIFIED ORDINANCES OF LANSING, MICHIGAN, 1997, COMPLETE TO NOVEMBER 24, 1997.

SECTION 2. THE READOPTION OF CODIFIED ORDINANCES SHALL NOT BE CONSTRUED TO AFFECT A RIGHT OR LIABILITY ACCRUED OR INCURRED UNDER ANY LEGISLATIVE PROVISION PRIOR TO THE EFFECTIVE DATE OF SUCH READOPTION, OR AN ACTION OR PROCEEDING FOR THE ENFORCEMENT OF SUCH RIGHT OR LIABILITY. SUCH READOPTION SHALL NOT BE CONSTRUED TO RELIEVE ANY PERSON FROM PUNISHMENT FOR AN ACT COMMITTED IN VIOLATION OF ANY SUCH LEGISLATIVE PROVISION, NOR TO AFFECT AN INDICTMENT OR PROSECUTION THEREFOR. FOR SUCH PURPOSES, ANY SUCH LEGISLATIVE PROVISION SHALL CONTINUE IN FULL FORCE NOTWITHSTANDING ITS REPEAL FOR THE PURPOSE OF REVISION AND CODIFICATION.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN

THE PART SO DECLARED TO BE INVALID.

SECTION 4. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 5. THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE TEN YEARS FROM THE DATE OF READOPTION.

SECTION 6. THIS ORDINANCE SHALL BE GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER JONES

MARILYNN SLADE, CITY CLERK

BY THE COMMITTEE ON PUBLIC SAFETY

BY COUNCILMEMBER ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTIONS 1460.01 THROUGH 1460.99, THE HOUSING CODE, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON PUBLIC SAFETY

BY COUNCILMEMBER ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTIONS 1460.01 THROUGH 1460.99, THE HOUSING CODE, BE NOW PASSED.

BY COUNCILMEMBER ALLEN

TO AMEND THE SEVENTH (7TH) DRAFT OF THE HOUSING CODE ORDINANCE TO AFFECT HOUSEKEEPING CORRECTIONS AS FOLLOWS:

- ON PAGE ONE, LINE 13, (1460.01) ADD THE WORDS "AND PREMISES" AT THE END OF THE LINE
- ON PAGE TWENTY-ONE, LINE 1, (1460.15(c)) SUBSTITUTE THE WORD "OF" FOR THE WORD "OR"
- ON PAGE 32, LINE 10, (1460.21(a)(8)) DELETE THE WORD "PROHIBITS"
- ON PAGE 32, LINE 16, (1460.21(b)(1)) INSERT THE WORDS "AND (A)(8)" FOLLOWING (A)(6)
- ON PAGE 56, LINES 5 & 12, (1460.26(g)(2) AND 1460.26(g)(3)) DELETE THE WORDS "PROPERLY"

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

TO AMEND THE ORDINANCE BY STRIKING THE LANGUAGE IN SECTIONS 1460.21 REFERRING TO "OVERSTUFFED/UPHOLSTERED COUCHES AND CHAIRS", AND TO SEND THIS LANGUAGE BACK TO THE COMMITTEE FOR FURTHER WORK

MOTION FAILED BY THE FOLLOWING VOTE:



YEAS: COUNCILMEMBERS JONES, LILLY

NAYS: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, LEEMAN, NOVAK

BY COUNCILMEMBER NOVAK

TO AMEND THE ORDINANCE ON PAGE 61, LINE 14 TO ADD AT THE BEGINNING OF (C) "SMOKE DETECTORS SHALL BE INSTALLED ON ALL LEVELS OF DWELLINGS" AND TO SUBSTITUTE THE WORD "MOUNTED" FOR THE WORD "AMOUNTED", AND TO AMEND THE ORDINANCE ON PAGE 61, LINE 7, BY ADDING A "S" TO THE WORD "DETECTOR"

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, LEEMAN, NOVAK

NAYS: COUNCILMEMBERS JONES, LILLY

BY COUNCILMEMBER ALLEN

TO PLACE AN AFFIRMATIVE ROLL ON THE ORDINANCE AS AMENDED

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: COUNCILMEMBER LILLY

BY COUNCILMEMBER LEEMAN

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

CARRIED UNANIMOUSLY

#### **ORDINANCE #978**

AN ORDINANCE TO AMEND TITLE SIX - HOUSING, CHAPTER 1460, HOUSING CODE, SECTIONS 1460.01 THROUGH 1460.99 OF THE LANSING CODE OF ORDINANCES FOR THE PURPOSES OF CHANGING THE NAME OF THE BUILDING SAFETY DIVISION TO "CODE COMPLIANCE DIVISION", THE TITLE OF DIRECTOR TO "MANAGER", AND THE DEPARTMENT OF PLANNING & MUNICIPAL DEVELOPMENT TO THE "DEPARTMENT OF PLANNING & NEIGHBORHOOD DEVELOPMENT" TO PRESCRIBE PROCEDURES INCIDENT TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE, AND TO REVISE THE SCHEDULE OF FINES FOR VIOLATION OF THE RENTAL REGISTRATION REQUIREMENT.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 1460 OF THE CITY OF LANSING HOUSING CODE IS AMENDED TO READ AS FOLLOWS:

1460.01 SHORT TITLE.

THIS CHAPTER SHALL BE KNOWN AND MAY BE CITED AS THE CITY OF LANSING HOUSING AND PREMISES CODE.

#### **1460.02 PURPOSE.**

THIS CHAPTER PROVIDES MINIMUM REQUIREMENTS FOR THE PROTECTION OF LIFE, LIMB, HEALTH, PROPERTY, SAFETY AND WELFARE OF THE GENERAL PUBLIC AND THE OWNERS AND OCCUPANTS OF RESIDENTIAL BUILDINGS, ACCESSORY BUILDINGS AND PREMISES.

#### **1460.03 APPLICATION; CONFORMITY REQUIRED.**

(A) APPLICATION. THIS CHAPTER SHALL APPLY TO ALL BUILDINGS OR PORTIONS THEREOF USED, OR DESIGNED OR INTENDED TO BE USED, FOR HUMAN HABITATION, ACCESSORY BUILDING AND PREMISES. SUCH OCCUPANCIES IN EXISTING BUILDINGS MAY BE CONTINUED AS PROVIDED FOR IN SECTION 104(C) OF THE UNIFORM BUILDING CODE, EXCEPT AS OTHERWISE PROVIDED FOR IN THIS CHAPTER. WHERE ANY BUILDING OR PORTION THEREOF IS USED OR INTENDED TO BE USED AS A COMBINATION APARTMENT HOUSE-HOTEL, THE PROVISIONS OF THIS CHAPTER SHALL APPLY TO THE SEPARATE PORTIONS AS IF THEY WERE SEPARATE BUILDINGS. EVERY ROOMING HOUSE OR LODGING HOUSE SHALL COMPLY WITH ALL THE REQUIREMENTS OF THIS CHAPTER FOR DWELLINGS. ALL HOUSE TRAILERS AND MOBILE HOMES SHALL COMPLY WITH ALL THE REQUIREMENTS OF THIS CHAPTER FOR DWELLINGS, EXCEPT THAT ANY HOUSE TRAILER OR MOBILE HOME WHICH WAS CONSTRUCTED IN CONFORMITY WITH ALL APPLICABLE LAWS IN EFFECT AT THE TIME OF CONSTRUCTION AND WHICH HAS BEEN MAINTAINED IN A SAFE CONDITION SHALL NOT BE CONSIDERED A SUBSTANDARD BUILDING.

(B) ALTERATION. EXISTING BUILDINGS WHICH ARE ALTERED OR ENLARGED SHALL BE MADE TO CONFORM TO THIS CHAPTER INsofar AS THE NEW WORK IS CONCERNED AND IN ACCORDANCE WITH SECTION 104 OF THE UNIFORM BUILDING CODE.

(C) RELOCATION. EXISTING RESIDENTIAL STRUCTURES WHICH ARE MOVED OR RELOCATED SHALL BE RESTORED IN ACCORDANCE WITH THE UNIFORM BUILDING CODE.

#### **1460.04 DEFINITIONS.**

FOR THE PURPOSE OF THIS CHAPTER, CERTAIN ABBREVIATIONS, TERMS, PHRASES AND WORDS, AND THEIR DERIVATIVES, SHALL BE CONSTRUED AS SPECIFIED IN THE UNIFORM BUILDING CODE, UNLESS SPECIFICALLY MODIFIED HEREIN. IN ADDITION, AS USED IN THIS CHAPTER:

- (1) "ACCESSORY BUILDING" MEANS AN ACCESSORY STRUCTURE AS DEFINED BY THE ZONING CODE.
- (2) "BUILDING" MEANS ANY STRUCTURE USED OR INTENDED FOR SUPPORTING OR SHELTERING ANY USE OR OCCUPANCY.
- (3) "CERTIFICATE OF COMPLIANCE" MEANS A CERTIFICATE ISSUED FOR A PERIOD OF TWO YEARS BY THE MANAGER OF CODE COMPLIANCE FOR ANY RENTAL DWELLING OR UNIT WHICH MUST BE REGISTERED UNDER THIS CHAPTER AFTER IT HAS BEEN INSPECTED AND DETERMINED NOT TO BE IN VIOLATION OF THIS CHAPTER. A CERTIFICATE OF COMPLIANCE SHALL EXPIRE AUTOMATICALLY TWO YEARS AFTER ISSUANCE ON ITS ANNIVERSARY DATE



UNLESS REVOKED EARLIER AS PROVIDED IN SECTION 1460.26(G)(2).

- (4) "DIVISION" MEANS THE CODE COMPLIANCE DIVISION OF THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT.
- (5) "DWELLING" MEANS ANY HOUSE, BUILDING, STRUCTURE, TENT, SHELTER, TRAILER OR VEHICLE, OR PORTION THEREOF, EXCEPT RAILROAD CARS ON TRACKS OR RIGHTS OF WAY, WHICH IS OCCUPIED IN WHOLE OR IN PART AS THE HOME, RESIDENCE OR LIVING OR SLEEPING PLACE FOR ONE OR MORE PERSONS, EITHER PERMANENTLY OR TRANSIENTLY. A HOUSE TRAILER OR OTHER VEHICLE, WHEN OCCUPIED OR USED AS A DWELLING, SHALL BE SUBJECT TO ALL THE PROVISIONS OF THIS CHAPTER, EXCEPT THAT A HOUSE TRAILER OR OTHER VEHICLE, DULY LICENSED AS A VEHICLE, MAY BE OCCUPIED OR USED AS A DWELLING FOR REASONABLE PERIODS OF TIME, WITHOUT BEING OTHERWISE SUBJECT TO THE PROVISIONS OF THIS CHAPTER FOR DWELLINGS, WHEN LOCATED IN A PARK OR PLACE DESIGNATED OR LICENSED FOR THE PURPOSE BY THE CITY, PROVIDED THAT SUCH PARKING SITES ARE EQUIPPED WITH ADEQUATE SAFETY AND SANITARY FACILITIES.
- (6) "DWELLING UNIT" MEANS ANY BUILDING OR PORTION THEREOF WHICH CONTAINS LIVING FACILITIES, INCLUDING PROVISIONS FOR SLEEPING, EATING, COOKING AND SANITATION, AS REQUIRED BY THIS CODE, FOR NOT MORE THAN ONE FAMILY.
- (7) "EFFICIENCY DWELLING UNIT" MEANS ANY ROOM HAVING COOKING FACILITIES AND USED FOR COMBINED LIVING, DINING AND SLEEPING PURPOSES.
- (8) "ELECTRICAL CODE" MEANS THE NATIONAL ELECTRICAL CODE, AS ADOPTED IN CHAPTER 1424.
- (9) "FAMILY" MEANS EITHER:
  - A. AN INDIVIDUAL OR TWO OR MORE PERSONS RELATED BY BLOOD, MARRIAGE OR ADOPTION, TOGETHER WITH NOT MORE THAN TWO OTHER PERSONS WHO ARE LIVING TOGETHER AS A SINGLE HOUSEKEEPING UNIT OR DWELLING UNIT WITH NO ADDITIONAL ROOMERS; OR
  - B. NOT MORE THAN FOUR PERSONS NOT RELATED BY BLOOD, MARRIAGE OR ADOPTION IN A C OR MULTIPLE DISTRICT, AS DEFINED IN THE ZONING CODE, WHO ARE LIVING TOGETHER AS A SINGLE HOUSEKEEPING UNIT OR DWELLING UNIT WITH NO ADDITIONAL ROOMERS.
- (10) "GUEST" MEANS ANY PERSON HIRING OR OCCUPYING A ROOM FOR LIVING OR SLEEPING PURPOSES.
- (11) "GUEST ROOM" MEANS ANY ROOM USED OR INTENDED TO BE USED BY A GUEST FOR SLEEPING PURPOSES. EVERY 100 SQUARE FEET OF SUPERFICIAL FLOOR AREA IN A DORMITORY SHALL BE CONSIDERED TO BE A GUEST ROOM.
- (12) "HAZARD TO HEALTH OR SAFETY" MEANS ANY UNSAFE OR DANGEROUS BUILDING, AS DEFINED IN SECTION 1460.24.
- (13) "HEALTH OFFICER" MEANS THE COUNTY HEALTH OFFICER OR HIS OR HER DESIGNEE.
- (14) "HOT WATER" MEANS WATER AT A TEMPERATURE

- OF NOT LESS THAN 110 DEGREES FAHRENHEIT.
- (15) "LODGING HOUSE" MEANS ANY BUILDING OR PORTION THEREOF CONTAINING GUEST ROOMS WHERE RENT IS PAID IN MONEY, GOODS AND SERVICES, HAVING AN OCCUPANT LOAD NOT EXCEEDING TWENTY PEOPLE.
- (16) "MECHANICAL CODE" MEANS THE UNIFORM MECHANICAL CODE, AS ADOPTED IN CHAPTER 1426 AND IN EFFECT AT THE TIME OF AN ALLEGED VIOLATION.
- (17) "MULTIPLE DWELLING" MEANS A DWELLING CONTAINING THREE OR MORE DWELLING UNITS.
- (18) "OCCUPIED SPACE" MEANS THE TOTAL AREA OF ALL BUILDINGS OR STRUCTURES ON ANY LOT OR PARCEL OF GROUND PROJECTED ON A HORIZONTAL PLANE, EXCLUDING PERMITTED PROJECTIONS AS ALLOWED BY THIS CHAPTER.
- (19) "ONE-FAMILY DWELLING" MEANS A DWELLING OCCUPIED BY ONLY ONE FAMILY, AND SO DESIGNED AND ARRANGED AS TO PROVIDE COOKING AND KITCHEN ACCOMMODATIONS FOR ONE FAMILY ONLY, ALSO CALLED A SINGLE-FAMILY DWELLING.
- (20) "OWNER OCCUPIED DWELLING" MEANS A DWELLING WHICH A PERSON BOTH OWNS AS A TITLE HOLDER OR LAND CONTRACT PURCHASER AND LIVES IN AS HIS OR HER TRUE, FIXED AND PERMANENT HOME TO WHICH, WHENEVER ABSENT, THE PERSON INTENDS TO RETURN.
- (21) "PLUMBING CODE" MEANS THE UNIFORM PLUMBING CODE, AS ADOPTED IN CHAPTER 1424.
- (22) "PREMISES" MEANS A LOT, PLOT OR PARCEL OF LAND, INCLUDING THE BUILDING OR STRUCTURE THEREON.
- (23) "PUBLIC NUISANCE" MEANS THE FOLLOWING:
  - A. ANY PUBLIC NUISANCE KNOWN AT COMMON LAW OR IN EQUITY;
  - B. ANY ATTRACTIVE NUISANCE IN A BUILDING OR ON A PREMISES WHICH MAY PROVE DETRIMENTAL TO CHILDREN. THIS INCLUDES, BUT IS NOT LIMITED TO, ANY ABANDONED WELLS, SHAFTS, BASEMENTS OR EXCAVATIONS, REFRIGERATORS, OR ABANDONED/DISABLED MOTOR VEHICLES AS DEFINED IN SECTION 1460.30; STRUCTURALLY UNSOUND FENCES OR STRUCTURES; OR LUMBER, TRASH, DEBRIS, TREES OR VEGETATION WHICH MAY PROVE A HAZARD FOR MINORS.
  - C. WHATEVER IS DANGEROUS TO HUMAN LIFE OR IS DETRIMENTAL TO HEALTH;
  - D. OVERCROWDING A ROOM WITH OCCUPANTS AS DEFINED IN THE UNIFORM BUILDING CODE;
  - E. INSUFFICIENT VENTILATION OR ILLUMINATION AS SPECIFIED IN SECTIONS 1460.14 AND 1460.17(c);
  - F. INADEQUATE OR UNSANITARY SEWAGE OR PLUMBING FACILITIES AS SPECIFIED IN SECTION 1460.15;
  - G. UNCLEANLINESS, AS DETERMINED BY THE COUNTY HEALTH OFFICER OR THE MANAGER OF CODE COMPLIANCE;
  - H. WHATEVER RENDERS AIR, FOOD OR DRINK UNWHOLESOME OR DETRIMENTAL TO THE HEALTH OF HUMAN BEINGS, AS DETERMINED BY THE



HEALTH OFFICER: AND

I. ANY CONDITION IN VIOLATION OF SECTION 1460.21.

- (24) "SUBSTANDARD CONDITION" MEANS ANY CONDITION DEFINED AS SUBSTANDARD IN SECTION 1460.20. SUCH CONDITION DOES NOT MAKE A BUILDING UNSAFE OR DANGEROUS UNLESS SO DETERMINED BY THE MANAGER OF CODE COMPLIANCE OR THE COUNTY HEALTH OFFICER.
- (25) "TEMPORARY CERTIFICATE FOR OCCUPANCY" MEANS A CERTIFICATE ISSUED BY THE MANAGER OF CODE COMPLIANCE FOR ANY RENTAL DWELLING OR UNIT WHICH MUST BE REGISTERED UNDER THIS CHAPTER AND WHICH HAS NOT BEEN INSPECTED WITHIN FIFTEEN DAYS AFTER AN APPLICATION FOR A CERTIFICATE OF COMPLIANCE IS MADE, OR AFTER AN INSPECTION IS CONDUCTED WHICH REVEALS ANY VIOLATION OF THIS CHAPTER WHICH DOES NOT CONSTITUTE A HAZARD TO HEALTH OR SAFETY AS DEFINED IN THIS CHAPTER. A TEMPORARY CERTIFICATE FOR OCCUPANCY SHALL AUTOMATICALLY TERMINATE UPON AN INSPECTION BY A BUILDING OFFICIAL AND THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE. A TEMPORARY CERTIFICATE FOR OCCUPANCY SHALL BE REVOKED UPON AN INSPECTION BY A BUILDING OFFICIAL AND THE DETERMINATION THAT THE DWELLING OR UNIT CONTAINS A VIOLATION OF THIS CHAPTER WHICH CONSTITUTES A HAZARD TO HEALTH OR SAFETY, AS DEFINED IN THIS CHAPTER.
- (26) "TWO-FAMILY DWELLING" MEANS A BUILDING WHICH CONTAINS TWO DWELLING UNITS.
- (27) "UNIFORM BUILDING CODE" MEANS THE UNIFORM BUILDING CODE, AS ADOPTED AND AMENDED IN CHAPTER 1420 AND IN EFFECT AT THE TIME OF AN ALLEGED VIOLATION.
- (28) "UNSAFE OR DANGEROUS" MEANS ANY CONDITION DEFINED AS UNSAFE OR DANGEROUS IN SECTION 1460.24.

1460.05 ENFORCEMENT.

(A) AUTHORITY OF MANAGER OF CODE COMPLIANCE. THE MANAGER OF CODE COMPLIANCE IS HEREBY AUTHORIZED AND DIRECTED TO ADMINISTER AND ENFORCE THIS CHAPTER.

(B) CODE COMPLIANCE MANAGER DEFINED. AS USED IN THIS CHAPTER, "CODE COMPLIANCE MANAGER" MEANS THE MANAGER OF THE CODE COMPLIANCE DIVISION OF THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT, INCLUDING HIS OR HER DULY AUTHORIZED OR DESIGNATED REPRESENTATIVE, UNLESS A CONTRARY INTENT IS CLEARLY SHOWN.

(C) INSPECTIONS. WHENEVER NECESSARY TO MAKE AN INSPECTION OR WHENEVER THE MANAGER OF CODE COMPLIANCE HAS REASONABLE CAUSE TO BELIEVE THAT THERE EXISTS IN ANY BUILDING OR UPON ANY PREMISES ANY CONDITION WHICH MAKES SUCH BUILDING OR PORTION THEREOF OR PREMISES SUBSTANDARD, THE MANAGER MAY ENTER SUCH BUILDING OR GO UPON SUCH PREMISES TO INSPECT THE SAME. THE MANAGER MAY CONDUCT SUCH INSPECTION AT ALL REASONABLE TIMES EITHER BY OBTAINING PERMISSION OF THE OWNER OR OCCUPANT OR BY OBTAINING

A SEARCH WARRANT FROM A COURT OF COMPETENT JURISDICTION. HOWEVER, IF SUCH BUILDING OR PREMISES ARE OCCUPIED, THE MANAGER SHALL FIRST PRESENT PROPER CREDENTIALS AND REQUEST ENTRY, AND IF SUCH BUILDING OR PREMISES ARE UNOCCUPIED, THE MANAGER SHALL FIRST MAKE A REASONABLE EFFORT TO LOCATE THE OWNER OR OTHER PERSONS HAVING CHARGE OR CONTROL OF THE BUILDING OR PREMISES AND REQUEST ENTRY. IF SUCH ENTRY IS REFUSED OR IF THE OWNER OR OTHER PERSON HAVING CHARGE OR CONTROL OF THE BUILDING CANNOT BE FOUND, THE MANAGER SHALL HAVE RECOURSE TO EVERY REMEDY PROVIDED BY LAW TO SECURE ENTRY. IF THE CONDITION THAT IS BELIEVED TO EXIST CREATES AN EMERGENCY SITUATION IN THAT IT IMMINENTLY ENDANGERS HUMAN LIFE, NO SEARCH WARRANT SHALL BE REQUIRED.

(D) INDEMNIFICATION. THE MANAGER OF CODE COMPLIANCE CHARGED WITH ENFORCEMENT OF THIS CHAPTER, ACTING IN GOOD FAITH AND WITHOUT MALICE IN THE DISCHARGE OF HIS OR HER DUTIES, SHALL BE INDEMNIFIED AND HELD HARMLESS BY THE CITY AGAINST ANY LIABILITY FOR ANY DAMAGE THAT MAY ACCRUE TO PERSONS OR PROPERTY AS THE RESULT OF ANY ACT OR BY REASON OF ANY ACT OR OMISSION IN THE DISCHARGE OF HIS OR HER DUTIES. ANY SUIT BROUGHT AGAINST THE CODE COMPLIANCE DIVISION, THE MANAGER OR ANY EMPLOYEE OF THE DIVISION, BECAUSE OF AN ACT OR OMISSION PERFORMED BY THE MANAGER OR EMPLOYEE IN THE ENFORCEMENT OF ANY PROVISION OF THIS CHAPTER, SHALL BE DEFENDED BY LEGAL COUNSEL PROVIDED BY THE CITY.

1460.06 RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

EVERY OWNER REMAINS LIABLE FOR VIOLATIONS OF DUTIES IMPOSED BY THIS CHAPTER EVEN THOUGH AN OBLIGATION IS ALSO IMPOSED ON THE OCCUPANTS OF THE OWNER'S BUILDING AND EVEN THOUGH THE OWNER HAS, BY AGREEMENT, IMPOSED ON THE OCCUPANT THE DUTY OF FURNISHING REQUIRED EQUIPMENT OR OF COMPLYING WITH THIS CHAPTER. EVERY OWNER OR OWNER'S AGENT, IN ADDITION TO BEING RESPONSIBLE FOR MAINTAINING THE OWNER'S BUILDING IN A SOUND STRUCTURAL CONDITION, SHALL BE RESPONSIBLE FOR KEEPING THAT PART OF THE BUILDING OR PREMISES WHICH THE OWNER OCCUPIES OR CONTROLS IN A CLEAN, SANITARY AND SAFE CONDITION, INCLUDING THE SHARED OR PUBLIC AREAS IN A BUILDING CONTAINING TWO OR MORE DWELLING UNITS. EVERY OWNER, WHERE REQUIRED BY THIS CHAPTER, BY THE ORDINANCES OF THE CITY OR BY THE COUNTY HEALTH OFFICER, SHALL FURNISH AND MAINTAIN SUCH APPROVED SANITARY FACILITIES AS ARE REQUIRED AND SHALL FURNISH AND MAINTAIN APPROVED DEVICES, EQUIPMENT OR FACILITIES FOR THE PREVENTION OF INFESTATION BY INSECTS, RODENTS AND OTHER PESTS. WHERE SUCH INFESTATION HAS TAKEN PLACE, EVERY OWNER SHALL BE RESPONSIBLE FOR THE EXTERMINATION OF ANY INSECTS, RODENTS OR OTHER PESTS WHEN SUCH EXTERMINATION IS NOT SPECIFICALLY MADE THE RESPONSIBILITY OF THE OCCUPANT BY LAW OR BY ORDERS UNDER THIS CHAPTER. EVERY OCCUPANT OF A DWELLING UNIT, IN ADDITION TO BEING RESPONSIBLE FOR KEEPING IN A CLEAN, SANITARY AND SAFE CONDITION THAT PART OF THE DWELLING, DWELLING UNIT OR PREMISES WHICH HE OR SHE OCCUPIES AND CONTROLS, SHALL DISPOSE OF ALL RUBBISH, GARBAGE AND OTHER ORGANIC WASTE IN A MANNER



REQUIRED BY THE ORDINANCES OF THE CITY OR BY THE COUNTY HEALTH OFFICER. EVERY OCCUPANT SHALL, WHERE REQUIRED BY THIS CHAPTER, BY THE ORDINANCES OF THE CITY OR BY THE COUNTY HEALTH OFFICER, FURNISH AND MAINTAIN APPROVED DEVICES, EQUIPMENT OR FACILITIES NECESSARY TO KEEP THE PREMISES SAFE AND SANITARY.

#### 1460.07 SUBSTANDARD BUILDINGS AS NUISANCES.

ALL BUILDINGS OR PORTIONS THEREOF WHICH ARE DETERMINED TO BE SUBSTANDARD, AS DEFINED IN THIS CHAPTER, ARE HEREBY DECLARED TO BE PUBLIC NUISANCES AND SHALL BE ABATED BY REPAIR, DEMOLITION OR REMOVAL IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN THIS CHAPTER.

#### 1460.08 BOARD OF APPEALS.

IN ORDER TO PROVIDE FOR FINAL INTERPRETATION OF THE PROVISIONS OF THIS CHAPTER AND TO HEAR APPEALS FROM DECISIONS OF THE MANAGER OF CODE COMPLIANCE DIVISION AS TO DETERMINATIONS MADE UNDER THIS CHAPTER, THE BOARD OF APPEALS ESTABLISHED IN SECTION 204 OF THE UNIFORM BUILDING CODE IS HEREBY AUTHORIZED TO HEAR SUCH QUESTIONS AND APPEALS.

#### 1460.09 VIOLATIONS GENERALLY.

NO PERSON, WHETHER AS OWNER, LESSEE, SUBLESSEE OR OCCUPANT, SHALL ERECT, CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, IMPROVE, REMOVE, DEMOLISH, EQUIP, USE, OCCUPY OR MAINTAIN ANY BUILDING OR PREMISES, OR CAUSE OR PERMIT THE SAME TO BE DONE, IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CHAPTER OR ANY ORDER ISSUED BY THE MANAGER OF CODE COMPLIANCE HEREUNDER. A VIOLATION SHALL INCLUDE ANY ACT OF COMMISSION OR OMISSION CONTRARY TO ANY SECTION OF THIS CHAPTER AND THE FAILURE TO MEET ANY REQUIRED STANDARD AS SET FORTH IN THIS CHAPTER.

#### 1460.10 PERMITS AND INSPECTIONS.

(A) PERMIT REQUIRED. NO PERSON SHALL ERECT, CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, IMPROVE, REMOVE, CONVERT OR DEMOLISH ANY BUILDING OR PORTION THEREOF, OR CAUSE OR PERMIT THE SAME TO BE DONE, WITHOUT FIRST OBTAINING A SEPARATE BUILDING PERMIT FOR EACH SUCH BUILDING FROM THE DIVISION OF BUILDING SAFETY IN THE MANNER AND ACCORDING TO THE APPLICABLE CONDITIONS PRESCRIBED IN THE UNIFORM BUILDING CODE.

(B) INSPECTION REQUIRED. ALL BUILDINGS OR PORTIONS THEREOF WITHIN THE SCOPE OF THIS CHAPTER, AND ALL CONSTRUCTION OR WORK FOR WHICH A PERMIT IS REQUIRED, SHALL BE SUBJECT TO INSPECTION BY THE MANAGER OF BUILDING SAFETY IN ACCORDANCE WITH AND IN THE MANNER PROVIDED BY THIS CHAPTER AND THE UNIFORM BUILDING CODE.

#### 1460.11 LOCATION AND LOT COVERAGE OF BUILDINGS.

(A) ACCESS TO PUBLIC PROPERTY ALL BUILDINGS SHALL BE LOCATED WITH RESPECT TO PROPERTY LINES AND

TO OTHER BUILDINGS ON THE SAME PROPERTY AS REQUIRED BY SECTION 504 AND PART IV OF THE UNIFORM BUILDING CODE. EACH DWELLING UNIT AND EACH GUEST ROOM IN A DWELLING OR A LODGING HOUSE SHALL HAVE ACCESS TO A PASSAGEWAY, NOT LESS THAN THREE FEET IN WIDTH, LEADING TO A PUBLIC STREET OR ALLEY. EACH APARTMENT HOUSE OR HOTEL SHALL HAVE ACCESS TO A PUBLIC STREET BY MEANS OF A PASSAGEWAY NOT LESS THAN FORTY-FOUR INCHES IN WIDTH.

(B) OCCUPIED SPACE. INTERIOR LOTS OCCUPIED BY BUILDINGS WITHIN THE SCOPE OF THIS CHAPTER SHALL HAVE NOT MORE THAN FIFTY PERCENT OF THE LOT IN OCCUPIED SPACE. CORNER LOTS USED FOR SUCH BUILDINGS SHALL HAVE NOT MORE THAN SEVENTY-FIVE PERCENT OF THE LOT IN OCCUPIED SPACE. WHERE HOUSING UNITS ARE ON A FLOOR ABOVE THE FIRST FLOOR, THE ROOF AREA AT OR BELOW THE FLOOR LEVEL OF THE HOUSING UNITS NEED NOT BE CONSIDERED AS OCCUPIED SPACE.

#### 1460.12 YARDS AND COURTS.

(A) SCOPE. THIS SECTION SHALL APPLY TO YARDS AND COURTS HAVING REQUIRED WINDOWS OPENING THEREIN.

(B) YARDS. EVERY YARD SHALL BE NOT LESS THAN THREE FEET IN WIDTH FOR ONE-STORY AND TWO-STORY BUILDINGS. FOR BUILDINGS MORE THAN TWO STORIES IN HEIGHT, THE MINIMUM WIDTH OF THE YARD SHALL BE INCREASED AT THE RATE OF ONE FOOT FOR EACH ADDITIONAL STORY. WHERE YARDS COMPLETELY SURROUND THE BUILDING, THE REQUIRED WIDTH MAY BE REDUCED BY ONE FOOT. FOR BUILDINGS EXCEEDING FOURTEEN STORIES IN HEIGHT, THE REQUIRED WIDTH OF THE YARD SHALL BE COMPUTED ON THE BASIS OF FOURTEEN STORIES.

(C) COURTS. EVERY COURT SHALL BE NOT LESS THAN THREE FEET IN WIDTH. COURTS HAVING WINDOWS OPENINGS ON OPPOSITE SIDES SHALL BE NOT LESS THAN SIX FEET IN WIDTH. COURTS BOUNDED ON THREE OR MORE SIDES BY THE WALLS OF THE BUILDING SHALL BE NOT LESS THAN TEN FEET IN LENGTH UNLESS BOUNDED ON ONE END BY A STREET OR YARD. FOR BUILDINGS MORE THAN TWO STORIES IN HEIGHT, THE COURT SHALL BE INCREASED ONE FOOT IN WIDTH AND TWO FEET IN LENGTH FOR EACH ADDITIONAL STORY. FOR BUILDINGS EXCEEDING FOURTEEN STORIES IN HEIGHT, THE REQUIRED DIMENSIONS SHALL BE COMPUTED ON A BASIS OF FOURTEEN STORIES. ADEQUATE ACCESS SHALL BE PROVIDED TO THE BOTTOM OF ALL COURTS FOR CLEANING PURPOSES. EVERY COURT MORE THAN TWO STORIES IN HEIGHT SHALL BE PROVIDED WITH A HORIZONTAL AIR INTAKE AT THE BOTTOM, NOT LESS THAN TEN SQUARE FEET IN AREA, LEADING TO THE EXTERIOR OF THE BUILDING, UNLESS ABUTTING A YARD OR PUBLIC SPACE. THE CONSTRUCTION OF THE AIR INTAKE SHALL BE AS REQUIRED FOR THE COURT WALLS OF THE BUILDING, BUT IN NO CASE SHALL SUCH CONSTRUCTION BE LESS THAN ONE-HOUR FIRE-RESISTIVE.

(D) PROJECTIONS. EAVES AND CORNICES MAY PROJECT INTO ANY REQUIRED YARD NOT MORE THAN TWO INCHES FOR EACH FOOT OF YARD WIDTH. UNROOFED LANDINGS, PORCHES AND STAIRS MAY PROJECT INTO ANY REQUIRED YARD, PROVIDED THAT NO PORTION EXTENDS ABOVE THE FLOOR LEVEL OF A HABITABLE ROOM, AND PROVIDED, FURTHER, THAT NO SUCH PROJECTION OBSTRUCTS A REQUIRED EXITWAY.

#### 1460.13 ROOM DIMENSIONS.



(A) CEILING HEIGHTS. HABITABLE ROOMS, STORAGE ROOMS AND LAUNDRY ROOMS SHALL HAVE A CEILING HEIGHT OF NOT LESS THAN SEVEN AND ONE-THIRD FEET. HALLWAYS, CORRIDORS, BATHROOMS AND TOILET ROOMS SHALL HAVE A CEILING HEIGHT OF NOT LESS THAN SEVEN FEET MEASURED TO THE LOWEST PROJECTION FROM THE CEILING. IF ANY ROOM IN A BUILDING HAS A SLOPING CEILING, THE PRESCRIBED CEILING HEIGHT FOR THE ROOM IS REQUIRED IN ONLY ONE-HALF THE AREA THEREOF. NO PORTION OF THE ROOM MEASURING LESS THAN FIVE FEET FROM THE FINISHED FLOOR TO THE FINISHED CEILING SHALL BE INCLUDED IN ANY COMPUTATION OF THE MINIMUM FLOOR AREA THEREOF. IF ANY ROOM HAS A FURRED CEILING, THE PRESCRIBED CEILING HEIGHT IS REQUIRED IN TWO-THIRDS OF THE AREA THEREOF, BUT IN NO CASE SHALL THE HEIGHT OF THE FURRED CEILING BE LESS THAN SEVEN FEET.

(B) FLOOR AREA. EVERY DWELLING UNIT SHALL HAVE AT LEAST ONE ROOM WHICH SHALL HAVE NOT LESS THAN 120 SQUARE FEET OF FLOOR AREA. OTHER HABITABLE ROOMS, EXCEPT KITCHENS, SHALL HAVE A FLOOR AREA OF NOT LESS THAN SEVENTY SQUARE FEET. FURTHER, EVERY ROOM USED FOR SLEEPING PURPOSES SHALL HAVE A FLOOR AREA OF NOT LESS THAN SEVENTY SQUARE FEET, EXCEPT THAT THE REQUIRED FLOOR AREA SHALL BE INCREASED AT THE RATE OF FIFTY SQUARE FEET FOR EACH OCCUPANT IN EXCESS OF TWO.

(C) EFFICIENCY DWELLING UNITS. NOTHING IN THIS SECTION SHALL PROHIBIT THE USE OF AN EFFICIENCY DWELLING UNIT WITHIN AN APARTMENT HOUSE MEETING THE FOLLOWING REQUIREMENTS:

(1) THE UNIT SHALL HAVE A LIVING ROOM OF NOT LESS THAN 220 SQUARE FEET OF SUPERFICIAL FLOOR AREA. AN ADDITIONAL 100 SQUARE FEET OF SUPERFICIAL FLOOR AREA SHALL BE PROVIDED FOR EACH OCCUPANT OF SUCH UNIT IN EXCESS OF TWO.

(2) THE UNIT SHALL BE PROVIDED WITH A SEPARATE CLOSET.

(3) THE UNIT SHALL BE PROVIDED WITH A KITCHEN SINK, COOKING APPLIANCE AND REFRIGERATION FACILITIES, EACH HAVING A CLEAR WORKING SPACE OF NOT LESS THAN THIRTY INCHES IN FRONT. LIGHT AND VENTILATION CONFORMING TO THIS CHAPTER SHALL BE PROVIDED.

(4) THE UNIT SHALL BE PROVIDED WITH A SEPARATE BATHROOM CONTAINING A WATER CLOSET, LAVATORY AND BATHTUB OR SHOWER.

(D) WIDTH\* WATER CLOSETS. NO HABITABLE ROOM SHALL BE LESS THAN SEVEN FEET IN ANY DIMENSION. NO WATER CLOSET SPACE SHALL BE LESS THAN THIRTY INCHES IN WIDTH AND A CLEAR SPACE IN FRONT OF THE TOILET STOOL, NOT LESS THAN TWENTY-FOUR INCHES, SHALL BE PROVIDED.

#### 1460.14 LIGHT AND VENTILATION.

(A) NATURAL LIGHT AND VENTILATION. ALL GUEST ROOMS, DORMITORIES AND HABITABLE ROOMS WITHIN A DWELLING UNIT SHALL BE PROVIDED WITH NATURAL LIGHT BY MEANS OF WINDOWS OR SKYLIGHTS WITH AN AREA OF NOT LESS THAN ONE-TENTH OF THE FLOOR AREA OF SUCH ROOMS, WITH A MINIMUM OF TEN SQUARE FEET. ALL BATHROOMS, WATER CLOSET COMPARTMENTS, LAUNDRY ROOMS AND SIMILAR ROOMS SHALL BE PROVIDED WITH NATURAL VENTILATION BY MEANS OF WINDOWS OR SKYLIGHTS WITH AN AREA OF NOT LESS THAN ONE-TENTH OF THE FLOOR

AREA OF SUCH ROOMS, WITH A MINIMUM OF 1.5 SQUARE FEET. NOT LESS THAN ONE-HALF OF THE REQUIRED WINDOW OR SKYLIGHT AREA SHALL BE OPENABLE TO PROVIDE NATURAL VENTILATION.

(B) LOCATION OF WINDOWS. REQUIRED WINDOWS SHALL OPEN DIRECTLY ONTO A STREET, PUBLIC ALLEY, YARD OR COURT LOCATED ON THE SAME LOT AS THE BUILDING. REQUIRED WINDOWS MAY OPEN INTO A ROOFED PORCH WHERE THE PORCH:

(1) ABUTS A STREET, YARD OR COURT:

(2) HAS A CEILING HEIGHT OF NOT LESS THAN SEVEN FEET; AND

(3) HAS THE LONGER SIDE AT LEAST SIXTY-FIVE PERCENT OPEN AND UNOBSTRUCTED. A REQUIRED WINDOW IN A SERVICE ROOM MAY OPEN INTO A VENT SHAFT WHICH IS OPEN AND UNOBSTRUCTED TO THE SKY AND NOT LESS THAN FOUR FEET IN LEAST DIMENSION. NO VENT SHAFT SHALL EXTEND THROUGH MORE THAN TWO STORIES.

(C) COMPUTATION OF REQUIREMENTS. FOR THE PURPOSE OF DETERMINING LIGHT AND VENTILATION REQUIREMENTS, ANY ROOM MAY BE CONSIDERED AS A PORTION OF AN ADJOINING ROOM WHEN ONE-HALF OF THE AREA OF THE COMMON WALL IS OPEN AND UNOBSTRUCTED AND PROVIDES AN OPENING OF NOT LESS THAN ONE-TENTH OF THE FLOOR AREA OF THE INTERIOR ROOM OR TWENTY-FIVE SQUARE FEET, WHICHEVER IS GREATER.

(D) MECHANICAL VENTILATION. IN LIEU OF OPENABLE WINDOWS FOR NATURAL VENTILATION, A MECHANICAL VENTILATION SYSTEM MAY BE PROVIDED. SUCH SYSTEM SHALL BE CAPABLE OF PROVIDING TWO AIR CHANGES PER HOUR IN ALL GUEST ROOMS, DORMITORIES, HABITABLE ROOMS AND PUBLIC CORRIDORS. ONE-FIFTH OF THE AIR SUPPLY SHALL BE TAKEN FROM THE OUTSIDE. IN BATHROOMS, WATER CLOSET COMPARTMENTS, LAUNDRY ROOMS AND SIMILAR ROOMS, A MECHANICAL VENTILATION SYSTEM CONNECTED DIRECTLY TO THE OUTSIDE, CAPABLE OF PROVIDING FIVE AIR CHANGES PER HOUR, SHALL BE PROVIDED.

(E) HALLWAYS. ALL PUBLIC HALLWAYS, STAIRS AND OTHER EXITWAYS SHALL BE ADEQUATELY LIGHTED AT ALL TIMES IN ACCORDANCE WITH SECTION 3313 OF THE UNIFORM BUILDING CODE.

#### 1460.15 SANITATION.

(A) DWELLING UNITS. EVERY DWELLING UNIT SHALL BE PROVIDED WITH A BATHROOM EQUIPPED WITH FACILITIES CONSISTING OF A WATER CLOSET, A LAVATORY AND EITHER A BATHTUB OR SHOWER.

(B) LODGING HOUSES. WHERE PRIVATE WATER CLOSETS, LAVATORIES AND BATHS ARE NOT PROVIDED, THERE SHALL BE PROVIDED ON EACH FLOOR FOR EACH SEX AT LEAST ONE WATER CLOSET AND LAVATORY AND ONE BATH ACCESSIBLE FROM A PUBLIC HALLWAY. ADDITIONAL WATER CLOSETS, LAVATORIES AND BATHS SHALL BE PROVIDED ON EACH FLOOR FOR EACH SEX AT THE RATE OF ONE FOR EVERY ADDITIONAL TEN GUESTS OR FRACTIONAL NUMBER THEREOF IN EXCESS OF TEN. SUCH FACILITIES SHALL BE CLEARLY MARKED FOR "MEN" OR "WOMEN."

(C) KITCHENS. EACH DWELLING UNIT SHALL BE PROVIDED WITH A KITCHEN. EVERY KITCHEN SHALL BE PROVIDED WITH A KITCHEN SINK. SINKS SHALL BE OF APPROVED NONABSORBENT MATERIAL.

(D) FIXTURES. ALL PLUMBING FIXTURES SHALL BE



CONNECTED TO A SANITARY SEWER OR TO AN APPROVED PRIVATE SEWAGE DISPOSAL SYSTEM. ALL PLUMBING FIXTURES SHALL BE CONNECTED TO AN APPROVED SYSTEM OF WATER SUPPLY AND PROVIDED WITH HOT AND COLD RUNNING WATER, EXCEPT THAT WATER CLOSETS SHALL BE PROVIDED WITH COLD WATER ONLY. ALL PLUMBING FIXTURES SHALL BE OF AN APPROVED GLAZED EARTHENWARE TYPE OR OF A SIMILARLY NONABSORBENT MATERIAL.

(E) WATER CLOSET COMPARTMENTS. WALLS AND FLOORS OF WATER CLOSET COMPARTMENTS, EXCEPT IN DWELLINGS, SHALL BE FINISHED IN ACCORDANCE WITH SECTION 510(B) OF THE UNIFORM BUILDING CODE. WATER CLOSET COMPARTMENTS IN DWELLINGS SHALL BE FINISHED WITH APPROVED NONABSORBENT MATERIALS.

(F) ROOM SEPARATIONS. EVERY WATER CLOSET, BATHTUB OR SHOWER REQUIRED BY THIS CHAPTER SHALL BE INSTALLED IN A ROOM WHICH WILL AFFORD PRIVACY TO THE OCCUPANT. A ROOM IN WHICH A WATER CLOSET IS LOCATED SHALL BE SEPARATED FROM FOOD PREPARATION OR STORAGE ROOMS BY A TIGHTLY FITTING DOOR.

(G) INSTALLATION AND MAINTENANCE. ALL SANITARY FACILITIES SHALL BE INSTALLED AND MAINTAINED IN SAFE AND SANITARY CONDITION AND IN ACCORDANCE WITH ALL APPLICABLE LAWS.

#### 1460.16 STRUCTURAL REQUIREMENTS.

(A) IN GENERAL. BUILDINGS MAY BE OF ANY TYPE OF CONSTRUCTION PERMITTED BY THE UNIFORM BUILDING CODE. ROOFS, FLOORS, WALLS, FOUNDATIONS AND OTHER STRUCTURAL COMPONENTS OF BUILDINGS SHALL BE CAPABLE OF RESISTING ANY AND ALL FORCES AND LOADS TO WHICH THEY MAY BE SUBJECTED. ALL STRUCTURAL ELEMENTS SHALL BE PROPORTIONED AND JOINED IN ACCORDANCE WITH THE STRESS LIMITATIONS AND DESIGN CRITERIA SPECIFIED IN THE APPROPRIATE SECTIONS OF THE UNIFORM BUILDING CODE. BUILDINGS OF EVERY PERMITTED TYPE OF CONSTRUCTION SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS OF THE UNIFORM BUILDING CODE.

(B) SHELTER. EVERY BUILDING SHALL BE WEATHER-PROTECTED SO AS TO PROVIDE SHELTER FOR THE OCCUPANTS AGAINST THE ELEMENTS AND TO EXCLUDE DAMPNES.

(C) PROTECTION OF MATERIALS. ALL WOOD SHALL BE PROTECTED AGAINST TERMITE DAMAGE AND DECAY AS PROVIDED IN THE UNIFORM BUILDING CODE.

#### 1460.17 MECHANICAL REQUIREMENTS.

(A) HEATING. EVERY DWELLING UNIT AND GUEST ROOM SHALL BE PROVIDED WITH HEATING FACILITIES CAPABLE OF MAINTAINING A ROOM TEMPERATURE OF SEVENTY DEGREES FAHRENHEIT AT A POINT THREE FEET ABOVE THE FLOOR IN ALL HABITABLE ROOMS. SUCH FACILITIES SHALL BE INSTALLED AND MAINTAINED IN A SAFE CONDITION AND IN ACCORDANCE WITH THE UNIFORM BUILDING CODE, THE UNIFORM MECHANICAL CODE AND ALL OTHER APPLICABLE LAWS. NO UNVENTED FUEL-BURNING HEATER SHALL BE PERMITTED. ALL HEATING DEVICES OR APPLIANCES SHALL BE OF AN APPROVED TYPE.

(B) ELECTRICAL EQUIPMENT. ALL ELECTRICAL EQUIPMENT, WIRING AND APPLIANCES SHALL BE INSTALLED AND MAINTAINED IN A SAFE MANNER IN ACCORDANCE WITH ALL APPLICABLE LAWS. ALL ELECTRICAL EQUIPMENT SHALL BE

OF AN APPROVED TYPE. WHERE THERE IS ELECTRICAL POWER AVAILABLE WITHIN 300 FEET OF THE PREMISES OF ANY BUILDING, SUCH BUILDING SHALL BE CONNECTED TO SUCH ELECTRICAL POWER. EVERY HABITABLE ROOM SHALL CONTAIN AT LEAST TWO SUPPLIED ELECTRIC CONVENIENCE OUTLETS OR ONE SUCH CONVENIENCE OUTLET AND ONE SUPPLIED ELECTRIC LIGHT FIXTURE. EVERY WATER CLOSET COMPARTMENT, BATHROOM, LAUNDRY ROOM, FURNACE ROOM AND PUBLIC HALLWAY SHALL CONTAIN AT LEAST ONE SUPPLIED ELECTRIC LIGHT FIXTURE.

(C) VENTILATION. VENTILATION FOR ROOMS AND AREAS AND FOR FUEL-BURNING APPLIANCES SHALL BE PROVIDED AS REQUIRED IN THE UNIFORM MECHANICAL CODE AND IN THIS CHAPTER. WHERE MECHANICAL VENTILATION IS PROVIDED IN LIEU OF THE NATURAL VENTILATION REQUIRED BY SECTION 1460.14, SUCH MECHANICAL VENTILATING SYSTEM SHALL BE MAINTAINED IN OPERATION DURING THE OCCUPANCY OF ANY BUILDING OR PORTION THEREOF.

#### 1460-18 EXITS.

EVERY DWELLING UNIT OR GUEST ROOM SHALL HAVE ACCESS DIRECTLY TO THE OUTSIDE OR TO A PUBLIC CORRIDOR. ALL BUILDINGS OR PORTIONS THEREOF SHALL BE PROVIDED WITH EXITS, EXITWAYS AND APPURTENANCES AS REQUIRED BY CHAPTER 33 OF THE UNIFORM BUILDING CODE. OWNERS OF OWNER-OCCUPIED RESIDENCES MAY INSTALL, OR HAVE INSTALLED, DOUBLE-CYLINDER DEADBOLT SECURITY LOCKS (I.E. LOCKS WHICH REQUIRE A KEY TO MOVE THE DEADBOLT BOTH OUTSIDE AND INSIDE) ON EXIT DOORS AT THEIR DISCRETION. HOWEVER, THE CITY FIRE MARSHAL AND THE MANAGER OF CODE COMPLIANCE STRONGLY RECOMMEND AGAINST THE INSTALLATION OF DOUBLE-CYLINDER LOCKS DUE TO THE DANGER OF ENTRAPMENT IN A FIRE OR OTHER EMERGENCY. OWNER-OCCUPANTS WHO INSTALL SUCH LOCKS BY CHOICE MUST BEAR RESPONSIBILITY FOR INSTRUCTION OF ALL OCCUPANTS IN EMERGENCY EXIT PROCEDURES AND IT IS RECOMMENDED THAT THE INSIDE KEY REMAIN IN THE LOCK WHEN THE RESIDENCE IS OCCUPIED. THE CITY ASSUMES NO LIABILITY ARISING FROM ANY PROPERTY OWNER'S DISCRETIONARY USE OF DOUBLE-CYLINDER SECURITY LOCKS. EVERY SLEEPING ROOM BELOW THE FOURTH FLOOR SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR EXTERIOR DOOR APPROVED FOR EMERGENCY EGRESS OR RESCUE. THE UNITS SHALL BE OPERABLE FROM THE INSIDE TO PROVIDE A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. ALL EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5.7 SQUARE FEET. THE MINIMUM NET CLEAR OPENING HEIGHT DIMENSION SHALL BE TWENTY-FOUR INCHES. THE MINIMUM NET CLEAR OPENING WIDTH DIMENSION SHALL BE TWENTY INCHES. WHERE WINDOWS ARE PROVIDED AS A MEANS OF EGRESS OR RESCUE, THEY SHALL HAVE A FINISHED SILL HEIGHT OF NOT MORE THAN FORTY-FOUR INCHES ABOVE THE FLOOR. HOWEVER, ALL OPERABLE EXISTING EGRESS OR RESCUE WINDOWS HAVING A MINIMUM NET CLEAR OPENING OF FIVE SQUARE FEET, WITH A MINIMUM NET CLEAR OPENING HEIGHT DIMENSION OF TWENTY-TWO INCHES AND A MAXIMUM SILL HEIGHT OF FORTY-EIGHT INCHES, MAY HAVE THEIR EXISTING USE.

#### 1460.19 FIRE PROTECTION.

ALL BUILDINGS OR PORTIONS THEREOF SHALL BE



PROVIDED WITH THE DEGREE OF FIRE-RESISTIVE CONSTRUCTION REQUIRED BY THE UNIFORM BUILDING CODE FOR THE APPROPRIATE OCCUPANCY, TYPE OF CONSTRUCTION AND LOCATION ON PROPERTY, AND SHALL BE PROVIDED WITH THE APPROPRIATE FIRE-EXTINGUISHING SYSTEMS OR EQUIPMENT REQUIRED BY CHAPTER 38 OF THE UNIFORM BUILDING CODE.

#### 1460.20 SUBSTANDARD BUILDINGS.

(A) IN GENERAL. ANY BUILDING OR PORTION THEREOF OR OTHER PLACE USED OR DESIGNED OR INTENDED TO BE USED FOR HUMAN HABITATION, INCLUDING, BUT NOT LIMITED TO, ANY DWELLING UNIT, GUEST ROOM OR SUITE OF ROOMS, OR THE PREMISES ON WHICH THE SAME IS LOCATED, OR ANY VEHICLE, TENT OR ACCESSORY BUILDING, IN WHICH THERE EXISTS ANY OF THE FOLLOWING LISTED CONDITIONS, SHALL BE DEEMED AND IS HEREBY DECLARED TO BE A SUBSTANDARD BUILDING:

(1) INADEQUATE SANITATION. INADEQUATE SANITATION, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- A. LACK OF OR IMPROPER WATER CLOSET, LAVATORY, BATHTUB OR SHOWER IN A DWELLING UNIT;
- B. LACK OF OR IMPROPER WATER CLOSETS, LAVATORIES AND BATHTUBS OR SHOWERS PER NUMBER OF GUESTS IN A HOTEL;
- C. LACK OF OR IMPROPER KITCHEN SINK;
- D. LACK OF HOT AND COLD RUNNING WATER TO PLUMBING FIXTURES IN A HOTEL;
- E. LACK OF HOT AND COLD RUNNING WATER TO PLUMBING FIXTURES IN A DWELLING UNIT;
- F. LACK OF ADEQUATE HEATING FACILITIES;
- G. LACK OF OR IMPROPER OPERATION OF REQUIRED VENTILATING EQUIPMENT;
- H. LACK OF MINIMUM AMOUNTS OF NATURAL LIGHT AND VENTILATION REQUIRED BY THIS CHAPTER;
- I. ROOM AND SPACE DIMENSIONS LESS THAN REQUIRED BY THIS CHAPTER;
- J. LACK OF REQUIRED ELECTRICAL LIGHTING;
- K. DAMPNES OF HABITABLE ROOMS;
- L. INFESTATION OF INSECTS, VERMIN OR RODENTS AS DETERMINED BY THE COUNTY HEALTH OFFICER OR THE MANAGER OF CODE COMPLIANCE;
- M. GENERAL DILAPIDATION OR IMPROPER MAINTENANCE;
- N. LACK OF CONNECTION TO REQUIRED SEWAGE DISPOSAL SYSTEM; AND
- O. LACK OF ADEQUATE GARBAGE AND RUBBISH STORAGE AND REMOVAL FACILITIES AS DETERMINED BY THE COUNTY HEALTH OFFICER OR THE MANAGER OF CODE COMPLIANCE;

(2) STRUCTURAL HAZARDS. STRUCTURAL HAZARDS, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- A. DETERIORATED OR INADEQUATE FOUNDATIONS;
- B. DEFECTIVE OR DETERIORATED FLOORING OR FLOOR SUPPORTS;
- C. FLOORING OR FLOOR SUPPORTS OF INSUFFICIENT SIZE TO CARRY IMPOSED LOADS WITH SAFETY;
- D. MEMBERS OF WALLS, PARTITIONS OR OTHER VERTICAL SUPPORTS THAT SPLIT, LEAN, LIST OR BUCKLE DUE TO DEFECTIVE MATERIAL OR

DETERIORATION;

- E. MEMBERS OF WALLS, PARTITIONS OR OTHER VERTICAL SUPPORTS THAT ARE OF INSUFFICIENT SIZE TO CARRY IMPOSED LOADS WITH SAFETY;
- F. MEMBERS OF CEILINGS, ROOFS, CEILING AND ROOF SUPPORTS OR OTHER HORIZONTAL MEMBERS WHICH SAG, SPLIT OR BUCKLE DUE TO DEFECTIVE MATERIAL OR DETERIORATION;
- G. MEMBERS OF CEILINGS, ROOFS, CEILING AND ROOF SUPPORTS OR OTHER HORIZONTAL MEMBERS THAT ARE OF INSUFFICIENT SIZE TO CARRY IMPOSED LOADS WITH SAFETY;
- H. FIREPLACES OR CHIMNEYS WHICH LIST, BULGE OR SETTLE DUE TO DEFECTIVE MATERIAL OR DETERIORATION;
- I. FIREPLACES OR CHIMNEYS WHICH ARE OF INSUFFICIENT SIZE OR STRENGTH TO CARRY IMPOSED LOADS WITH SAFETY; AND
- J. DEFECTIVE, DETERIORATED OR INADEQUATE STAIRS, HANDRAILS OR GUARDRAILS;

3) NUISANCES. ANY NUISANCE, AS DEFINED IN THIS CHAPTER;

4) HAZARDOUS ELECTRICAL WIRING. ALL ELECTRICAL WIRING, EXCEPT THAT WHICH CONFORMED WITH ALL APPLICABLE LAWS IN EFFECT AT THE TIME OF INSTALLATION, AND WHICH HAS BEEN MAINTAINED IN GOOD CONDITION AND IS BEING USED FOR ELECTRICAL LOADS FOR WHICH IT WAS DESIGNED AND IS BEING USED IN A SAFE MANNER;

5) HAZARDOUS PLUMBING. ALL PLUMBING, EXCEPT THAT WHICH CONFORMED WITH ALL APPLICABLE LAWS IN EFFECT AT THE TIME OF INSTALLATION, AND WHICH HAS BEEN MAINTAINED IN GOOD CONDITION AND WHICH IS FREE OF CROSS-CONNECTIONS AND SIPHON AGE BETWEEN FIXTURES;

6) HAZARDOUS MECHANICAL EQUIPMENT. ALL MECHANICAL EQUIPMENT, INCLUDING VENTS, EXCEPT THAT WHICH CONFORMED WITH ALL APPLICABLE LAWS IN EFFECT AT THE TIME OF INSTALLATION AND WHICH HAS BEEN MAINTAINED IN A GOOD AND SAFE CONDITION;

7) FAULTY WEATHER PROTECTION. FAULTY WEATHER PROTECTION, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- A. DETERIORATED, CRUMBLING OR LOOSE PLASTER;
- B. DETERIORATED OR INEFFECTIVE WATERPROOFING OF EXTERIOR WALLS, ROOFS, FOUNDATIONS OR FLOORS, INCLUDING BROKEN WINDOWS OR DOORS;
- C. DEFECTIVE OR LACK OF WEATHER PROTECTION FOR EXTERIOR WALL COVERINGS, INCLUDING LACK OF PAINT AND WEATHERING DUE TO LACK OF PAINT OR OTHER APPROVED PROTECTIVE COVERING; AND
- D. BROKEN, ROTTED, SPLIT OR BUCKLED EXTERIOR WALL COVERINGS OR ROOF COVERINGS;

(8) FIRE HAZARDS. ANY BUILDING OR PORTION THEREOF, DEVICE, APPARATUS, EQUIPMENT, COMBUSTIBLE WASTE OR VEGETATION WHICH, IN THE OPINION OF THE FIRE CHIEF OR HIS OR HER DEPUTY, IS IN SUCH A CONDITION AS TO CAUSE A FIRE OR EXPLOSION OR TO PROVIDE A READY FUEL TO AUGMENT THE SPREAD AND INTENSITY OF FIRE OR EXPLOSION ARISING FROM ANY CAUSE:

(9) FAULTY MATERIALS OF CONSTRUCTION. ALL MATERIALS OF CONSTRUCTION, EXCEPT THOSE WHICH ARE



SPECIFICALLY ALLOWED OR APPROVED BY THIS CHAPTER AND THE UNIFORM BUILDING CODE AND WHICH HAVE BEEN ADEQUATELY MAINTAINED IN A GOOD AND SAFE CONDITION;

(10) UNSAFE OR DANGEROUS BUILDING. ANY BUILDING OR PORTION THEREOF WHICH IS DETERMINED TO BE AN UNSAFE OR DANGEROUS BUILDING IN ACCORDANCE WITH SECTION 1460.24;

(11) INADEQUATE EXITS. ALL BUILDINGS OR PORTIONS THEREOF NOT PROVIDED WITH ADEQUATE EXIT FACILITIES AS REQUIRED BY THIS CHAPTER, EXCEPT THOSE BUILDINGS OR PORTIONS THEREOF WHOSE EXIT FACILITIES CONFORMED WITH ALL APPLICABLE LAWS AT THE TIME OF THEIR CONSTRUCTION AND WHICH HAVE BEEN ADEQUATELY MAINTAINED AND INCREASED IN RELATION TO ANY INCREASE IN OCCUPANT LOAD, ALTERATION OR ADDITION, OR ANY CHANGE IN OCCUPANCY. WHEN AN UNSAFE CONDITION EXISTS THROUGH LACK OF OR IMPROPER LOCATION OF EXITS, ADDITIONAL EXITS MAY BE REQUIRED TO BE INSTALLED.

(12) INADEQUATE FIRE PROTECTION OR FIRE-FIGHTING EQUIPMENT. ALL BUILDINGS OR PORTIONS THEREOF WHICH ARE NOT PROVIDED WITH THE FIRE-RESISTIVE CONSTRUCTION OR FIRE-EXTINGUISHING SYSTEMS OR EQUIPMENT REQUIRED BY THIS CHAPTER, EXCEPT THOSE BUILDINGS OR PORTIONS THEREOF WHICH CONFORMED WITH ALL APPLICABLE LAWS AT THE TIME OF THEIR CONSTRUCTION AND WHOSE FIRE-RESISTIVE INTEGRITY AND FIRE-EXTINGUISHING SYSTEMS OR EQUIPMENT HAVE BEEN ADEQUATELY MAINTAINED AND IMPROVED IN RELATION TO ANY INCREASE IN OCCUPANT LOAD, ALTERATION OR ADDITION, OR ANY CHANGE IN OCCUPANCY; AND

(13) IMPROPER OCCUPANCY. ALL BUILDINGS OR PORTIONS THEREOF, OR OTHER PLACES OF SHELTER OCCUPIED FOR LIVING, SLEEPING, COOKING OR DINING PURPOSES, WHICH WERE NOT DESIGNED OR INTENDED TO BE USED FOR SUCH OCCUPANCIES.

(B) ENFORCEMENT. WHENEVER A BUILDING OR PLACE OF SHELTER IS DETERMINED TO BE SUBSTANDARD, IT SHALL BE DEEMED A VIOLATION OF THIS CHAPTER AND PURSUED ACCORDING TO SECTION 1460.05.

#### 1460.21 HAZARDOUS OR UNSANITARY PREMISES.

(A) IN GENERAL. ANY PREMISES OR PORTION THEREOF ON WHICH THERE EXISTS ANY OF THE FOLLOWING LISTED CONDITIONS SHALL BE DEEMED AND IS HEREBY DECLARED TO BE A SUBSTANDARD PREMISES:

(1) GROWTH OF GRASS AND/OR WEEDS EXCEEDING EIGHT INCHES IN HEIGHT;

(2) ACCUMULATION OF JUNK, DEBRIS, DEAD ORGANIC MATTER, GARBAGE, OFFAL OR RAT HARBORAGES;

(3) ABANDONED/DISABLED MOTOR VEHICLES IN WHOLE OR IN PART AS DEFINED IN SECTION 1460.30;

(4) ACCUMULATION OF COMBUSTIBLE MATERIAL OR OTHER FIRE HAZARD;

(5) EXISTENCE OF ANY PHYSICAL HEALTH HAZARD AS DETERMINED BY THE COUNTY HEALTH OFFICER OR THE MANAGER OF CODE COMPLIANCE OR AS DEFINED AS SUCH BY STATUTE OR ORDINANCE;

(6) EXISTENCE OR MAINTENANCE OF ANY BUILDING OR STRUCTURE WHICH IS OPEN AT A DOOR OR WINDOW, LEAVING THE INTERIOR EXPOSED TO THE ELEMENTS OR ACCESSIBLE TO ENTRANCE BY TRESPASSERS;

(7) EXISTENCE OR MAINTENANCE OF AN ATTRACTIVE NUISANCE AS DEFINED IN SECTION 1460.04(23)(B); AND

(8) PROHIBITS INDOOR-TYPE FURNITURE, SPECIFICALLY MATTRESSES, AND OVERSTUFFED/UPHOLSTERED COUCHES AND CHAIRS IN THE OUTDOORS.

(B) NUISANCES.

(1) ANY CONDITION, THE EXISTENCE OF WHICH CAUSES ANY PREMISES TO BE SUBSTANDARD, AS DEFINED IN THIS SECTION, IS HEREBY DECLARED TO BE A NUISANCE AND IS SUBJECT TO ABATEMENT PURSUANT TO SECTION 1460.22, COMMON LAW OR STATUTE. IF A VIOLATION OF PARAGRAPHS (A)(1) THROUGH (A)(6) AND (A)(8) HEREOF IS NOT CORRECTED AFTER NOTICE IS GIVEN PURSUANT TO SECTION 1460.22, THEN THE CITY, THROUGH THE MANAGER OF CODE COMPLIANCE, OR ITS CONTRACTED AGENT AT THE DIRECTION OF THE MANAGER, MAY ENTER UPON THE PREMISES AND DESTROY, BY CUTTING, ANY GRASS OR WEEDS, OR REMOVE ANY ABANDONED/DISABLED VEHICLES IN WHOLE OR IN PART, OR ABATE ANY SUCH CONDITION.

(2) ANY EXPENSE, INCLUDING THE ADMINISTRATION COSTS TO THE CITY, INCURRED IN THE DESTRUCTION, REMOVAL OR ABATEMENT SHALL BE PAID BY THE OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS ON THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS.

(3) THE EXPENSE INCURRED SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE SAME AGAINST THE PROPERTY ON WHICH THE NUISANCE WAS LOCATED.

(4) THE OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORDS SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COSTS BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. IF HE OR SHE FAILS TO PAY THE SAME WITHIN THIRTY DAYS AFTER MAILING, BY THE CITY ASSESSOR, OF THE NOTICE OF THE AMOUNT THEREOF, THE CITY ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES BY THE CITY.

(5) ANY EXPENSE RELATED TO REMOVING ABANDONED/DISABLED VEHICLES WILL BE PAID AS SET FORTH IN THE MICHIGAN VEHICLE CODE, MCL 257.252 ET SEQ. ADMINISTRATION COSTS TO THE CITY INCURRED IN THE REMOVAL SHALL BE PAID AS SET FORTH IN SECTIONS 1460.21(B)(2) THROUGH 1460.21(B)(4).

(C) ENFORCEMENT. WHENEVER A PREMISES IS DETERMINED TO HAVE A CONDITION THAT CAUSES SUCH PREMISES TO BE A SUBSTANDARD PREMISES, IT SHALL BE DEEMED TO BE A VIOLATION OF SECTION 1460.09. THE CHIEF OF POLICE IS CHARGED WITH THE ENFORCEMENT OF SECTION 1460.21(A)(3) FOR ALL PROPERTIES WITHIN THE CITY OF LANSING AND MAY, FOR SUCH PURPOSES, DELEGATE ENFORCEMENT TO CODE COMPLIANCE OFFICERS.

#### 1460.22 PROCEDURE FOR REPAIR OF SUBSTANDARD BUILDINGS AND PREMISES.

(A) COMMENCEMENT OF PROCEEDINGS. WHENEVER THE MANAGER OF CODE COMPLIANCE HAS INSPECTED OR CAUSED TO BE INSPECTED ANY BUILDING, PORTION THEREOF, PREMISES OR SHELTER, AND HAS FOUND AND DETERMINED THAT THE SAME IS SUBSTANDARD OR IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CHAPTER, THE MANAGER SHALL COMMENCE PROCEEDINGS TO CAUSE THE REPAIR OF THE BUILDING OR CORRECTION OF THE PREMISES AS DESCRIBED



IN THIS SECTION.

(B) NOTICE OF VIOLATION. THE MANAGER SHALL ISSUE A WRITTEN NOTICE OF VIOLATION. IF THE NOTICE OF VIOLATION IS FOR A CONDITION THAT MAKES A PROPERTY A SUBSTANDARD PREMISES UNDER SECTION 1460.21, THE WRITTEN NOTICE SHALL BE DIRECTED TO EACH OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS ON THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS. IF THE NOTICE OF VIOLATION IS FOR SECTION 1460.21(3), THEN NOTICE SHALL BE GIVEN AS SET FORTH IN THE MICHIGAN VEHICLE CODE, MCL 257.252 ET SEQ. IF THE NOTICE OF VIOLATION IS FOR VIOLATION OF ANY SECTION OF THIS CHAPTER, EXCEPT SECTION 1460.21, THE WRITTEN NOTICE SHALL BE DIRECTED TO THE OWNER, AGENT OR LESSOR REGISTERED WITH THE CODE COMPLIANCE DIVISION, AND, AT THE DISCRETION OF THE MANAGER, TO ANY LESSEE OR OCCUPANT. IF NO OWNER, AGENT OR LESSOR HAS BEEN REGISTERED, THEN THE NOTICE SHALL BE DIRECTED TO EACH OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS ON THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS. THE NOTICE OF VIOLATION SHALL CONTAIN:

- (1) THE PREMISES UPON WHICH THE VIOLATION IS LOCATED;
- (2) THE DATE UPON WHICH THE INSPECTION TOOK PLACE;
- (3) THE NAME OF THE INSPECTOR MAKING THE INSPECTION;
- (4) A STATEMENT THAT THE BUILDING OR PREMISES HAS BEEN FOUND TO BE IN VIOLATION OF THIS CHAPTER, WITH A BRIEF AND CONCISE DESCRIPTION OF THE CONDITIONS FOUND TO RENDER THE SAME IN VIOLATION; AND
- (5) A STATEMENT ORDERING THE ACTION REQUIRED IN ORDER TO COMPLY WITH THIS CHAPTER. THE ORDER SHALL PROVIDE:

- A. IF THE MANAGER OF CODE COMPLIANCE HAS DETERMINED THAT THE BUILDING OR PORTION THEREOF OR THE PREMISES MUST BE REPAIRED OR CORRECTED TO COMPLY WITH THIS CHAPTER, THAT ALL NECESSARY PERMITS MUST BE SECURED AND WORK MUST BE COMPLETED WITHIN THE TIME PERIOD STATED IN THE ORDER. FOR ANY VIOLATION UNDER SECTION 1460.21(A)(1), THE ORDER SHALL STATE THAT THE CONDITION SHALL BE CORRECTED WITHIN SEVEN DAYS. FOR OTHER VIOLATIONS, THE MANAGER SHALL DETERMINE THE PERIODS OF TIME THAT ARE REASONABLE UNDER ALL THE CIRCUMSTANCES.
- B. IF THE MANAGER OF CODE COMPLIANCE HAS DETERMINED THAT THE BUILDING OR PORTION THEREOF OR SHELTER MUST BE VACATED, THAT THE SAME SHALL BE VACATED WITHIN THE TIME PERIOD DETERMINED BY THE MANAGER TO BE REASONABLE AND STATED IN THE ORDER.
- (C) SERVICE OF NOTICE. THE NOTICE OF VIOLATION AND ANY AMENDED OR SUPPLEMENTAL NOTICE SHALL BE SERVED UPON ANY PERSON ENTITLED TO THE NOTICE BY PERSONAL SERVICE OR BY FIRST CLASS MAIL, ADDRESSED TO SUCH PERSON AND SENT IN AN ENVELOPE CONTAINING THEREON THE RETURN ADDRESS OF THE CODE COMPLIANCE. IF NO ADDRESS OF SUCH PERSON IS KNOWN TO THE MANAGER OF CODE COMPLIANCE, THE NOTICE AND ORDER SHALL BE

MAILED BY FIRST CLASS MAIL, ADDRESSED TO SUCH PERSON AT THE ADDRESS OF THE BUILDING DESCRIBED IN THE NOTICE.

(D) FAILURE TO RECEIVE NOTICE. ANY IRREGULARITY IN THE SERVICE OF NOTICE OR THE FAILURE OF ANY PERSON ENTITLED TO NOTICE TO RECEIVE SUCH NOTICE SHALL NOT AFFECT THE VALIDITY OF ANY PROCEEDINGS TAKEN UNDER THIS CHAPTER, EXCEPT ENFORCEMENT UNDER SECTION 1460.23(A) AS TO THE PERSON NOT SO SERVED.

#### 1460.23 ENFORCEMENT OF REPAIR ORDERS.

(A) IN GENERAL. NO PERSON SHALL FAIL, NEGLECT OR REFUSE TO OBEY ANY ORDER OF THE MANAGER OF CODE COMPLIANCE OR THE BUILDING BOARD OF APPEALS MADE PURSUANT TO THIS CHAPTER.

(B) FAILURE TO OBEY ORDER. IF ANY PERSON FAILS TO COMPLY WITH SUBSECTION (A) HEREOF, THE MANAGER MAY CAUSE SUCH PERSON TO BE PROSECUTED UNDER SECTION 1460.09 AND MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION TO ENFORCE THE ORDER CONTAINED IN THE NOTICE OF VIOLATION, INCLUDING AN ACTION TO ABATE OR CORRECT THE VIOLATION.

(C) FAILURE TO COMMENCE OR TO COMPLETE WORK.

(1) WHENEVER THE REQUIRED REPAIR IS NOT COMPLETED BY THE TIME ESTABLISHED BY THE MANAGER, OR IF THE BUILDING BECOMES VACANT AFTER ANY NOTICE OF VIOLATION IS ISSUED, THE MANAGER MAY CAUSE THE BUILDING DESCRIBED IN SUCH NOTICE OF VIOLATION TO BECOME VACANT OR TO REMAIN VACANT BY POSTING AT EACH ENTRANCE A NOTICE IN SUBSTANTIALLY THE FOLLOWING FORM:

#### SUBSTANDARD BUILDING DO NOT OCCUPY

IT IS A MISDEMEANOR TO OCCUPY THIS  
BUILDING OR TO REMOVE OR DEFACE THIS NOTICE.  
BUILDING SAFETY CODE COMPLIANCE DIVISION  
CITY OF LANSING

(2) NO PERSON SHALL OCCUPY ANY BUILDING WHICH HAS BEEN POSTED AS SPECIFIED IN THIS SUBSECTION. NO PERSON SHALL REMOVE OR DEFACE ANY SUCH NOTICE SO POSTED UNTIL THE REPAIRS ORDERED BY THE MANAGER HAVE BEEN COMPLETED AND A CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THE UNIFORM BUILDING CODE.

(D) EXTENSION OF TIME TO PERFORM WORK. UPON RECEIPT OF AN APPLICATION FROM THE PERSON REQUIRED TO CONFORM TO THE ORDER AND AN AGREEMENT BY SUCH PERSON THAT HE OR SHE WILL COMPLY WITH THE ORDER IF ALLOWED ADDITIONAL TIME, THE MANAGER MAY DETERMINE THAT SUCH AN EXTENSION OF TIME WILL NOT CREATE OR PERPETUATE A SITUATION IMMINENTLY DANGEROUS TO LIFE OR PROPERTY AND GRANT AN EXTENSION OF TIME, NOT TO EXCEED AN ADDITIONAL 120 DAYS, WITHIN WHICH TO COMPLY. THIS EXTENSION PROVISION SHALL NOT APPLY TO ANY VIOLATION OF SECTION 1460.21 OR TO ANY ORDER TO CORRECT ANY SUCH VIOLATION. THE MANAGER'S AUTHORITY TO GRANT SUCH AN EXTENSION OF TIME IS LIMITED TO THE PHYSICAL REPAIR OR DEMOLITION OF THE PREMISES AND WILL NOT IN ANY WAY AFFECT OR EXTEND THE TIME TO APPEAL THE MANAGER'S NOTICE OF VIOLATION.

(E) INTERFERENCE WITH REPAIR OR DEMOLITION WORK. NO PERSON SHALL OBSTRUCT, IMPEDE OR INTERFERE WITH



ANY BUILDING OFFICER, CITY EMPLOYEE, CONTRACTOR OR AUTHORIZED REPRESENTATIVE OF ANY OF SUCH PERSONS IN THE PERFORMANCE OF HIS OR HER DUTIES UNDER THIS CHAPTER, NOR WITH ANY OTHER PERSON WHO IS ENGAGED IN CARRYING OUT THE LAWFUL DIRECTIVES OR ORDERS OF THE MANAGER ON PREMISES WHICH HAVE BEEN ORDERED REPAIRED, VACATED OR DEMOLISHED UNDER THIS CHAPTER-

#### 1460.24 UNSAFE OR DANGEROUS BUILDINGS.

(A) IN GENERAL. NO OWNER OR AGENT THEREOF SHALL KEEP OR MAINTAIN ANY UNSAFE OR DANGEROUS BUILDING. "UNSAFE OR DANGEROUS BUILDING," AS USED IN THIS SECTION, MEANS ANY BUILDING WHICH HAS ANY OF THE DEFECTS OR IS IN ANY OF THE CONDITIONS HEREINAFTER DESCRIBED:

(1) WHENEVER ANY DOOR, AISLE, PASSAGEWAY, STAIRWAY OR OTHER MEANS OF EXIT DOES NOT CONFORM TO THE FIRE PREVENTION CODE AND THE UNIFORM BUILDING:

(2) WHENEVER ANY PORTION HAS BEEN DAMAGED BY FIRE, WIND, FLOOD OR ANY OTHER CAUSE IN SUCH A MANNER THAT THE STRUCTURAL STRENGTH OR STABILITY IS APPRECIABLY LESS THAN IT WAS BEFORE SUCH CATASTROPHE AND IS LESS THAN THE MINIMUM REQUIREMENTS OF THE UNIFORM BUILDING CODE FOR A NEW BUILDING OR SIMILAR STRUCTURE, PURPOSE OR LOCATION:

(3) WHENEVER ANY PORTION, MEMBER OR APPURTENANCE IS LIKELY TO FALL OR BECOME DETACHED OR DISLODGED, OR TO COLLAPSE AND THEREBY INJURE PERSONS OR DAMAGE PROPERTY;

(4) WHENEVER ANY PORTION HAS SETTLED TO SUCH AN EXTENT THAT WALLS OR OTHER STRUCTURAL PORTIONS HAVE MATERIALLY LESS RESISTANCE TO WIND THAN IS REQUIRED IN THE CASE OF NEW CONSTRUCTION:

(5) WHENEVER THE BUILDING OR STRUCTURE, OR ANY PART THEREOF, BECAUSE OF DILAPIDATION, DETERIORATION, DECAY, FAULTY CONSTRUCTION, REMOVAL OR MOVEMENT OF SOME PORTION OF THE GROUND NECESSARY FOR THE PURPOSE OF SUPPORTING SUCH BUILDING OR PORTION THEREOF, OR FOR ANY OTHER REASON, IS LIKELY TO PARTIALLY OR COMPLETELY COLLAPSE, OR SOME PORTION OF THE FOUNDATION OR UNDERPINNING IS LIKELY TO FALL OR GIVE WAY:

(6) WHENEVER, FOR ANY REASON WHATSOEVER, THE BUILDING OR STRUCTURE OR ANY PORTION THEREOF IS MANIFESTLY UNSAFE FOR THE PURPOSE FOR WHICH IT IS USED:

(7) WHENEVER THE BUILDING OR STRUCTURE HAS BEEN SO DAMAGED BY FIRE, WIND OR FLOOD, OR HAS BECOME SO DILAPIDATED OR DETERIORATED, AS TO BECOME AN ATTRACTIVE NUISANCE TO CHILDREN WHO MIGHT PLAY THEREIN TO THEIR DANGER, OR AS TO AFFORD A HARBOR FOR VAGRANTS OR OTHER PERSONS, OR AS TO ENABLE PERSONS TO RESORT THERETO FOR THE PURPOSE OF COMMITTING A NUISANCE OR ANY LAWFUL ACT;

(8) WHENEVER A BUILDING OR STRUCTURE, USED OR INTENDED TO BE USED FOR DWELLING PURPOSES, BECAUSE OF DILAPIDATION, DECAY, DAMAGE, FAULTY CONSTRUCTION OR ARRANGEMENT OR OTHERWISE, IS UNSANITARY OR UNFIT FOR HUMAN HABITATION, OR IS IN A CONDITION THAT IS LIKELY TO CAUSE SICKNESS OR DISEASE WHEN SO DETERMINED BY THE COUNTY HEALTH OFFICER, OR IS LIKELY TO WORK INJURY TO THE HEALTH, SAFETY OR GENERAL WELFARE OF THOSE LIVING WITHIN: OR

(9) WHENEVER ANY BUILDING BECOMES VACANT, DILAPIDATED AND OPEN AT A DOOR OR WINDOW, LEAVING THE INTERIOR OF THE BUILDING EXPOSED TO THE ELEMENTS OR ACCESSIBLE TO ENTRANCE BY TRESPASSERS.

(B) VACATION. IF THE BUILDING OR STRUCTURE IS IN SUCH A CONDITION AS TO MAKE IT IMMEDIATELY DANGEROUS TO THE LIFE, LIMB, PROPERTY OR SAFETY OF THE PUBLIC OR THE OCCUPANTS THEREOF, IT SHALL BE ORDERED TO BE VACATED. A SIGN SHALL BE POSTED AT OR UPON EACH EXIT OF THE BUILDING AND SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

DO NOT ENTER  
UNSAFE TO OCCUPY  
IT IS A MISDEMEANOR TO OCCUPY THIS BUILDING,  
OR TO REMOVE OR DEFACE THIS NOTICE.  
BUILDING SAFETY CODE COMPLIANCE DIVISION  
CITY OF LANSING

NO PERSON SHALL REMAIN IN OR ENTER ANY BUILDING WHICH HAS BEEN SO POSTED, EXCEPT THAT ENTRY MAY BE MADE TO REPAIR, DEMOLISH OR REMOVE SUCH BUILDING UNDER PERMIT. NO PERSON SHALL REMOVE OR DEFACE ANY SUCH NOTICE AFTER IT IS POSTED UNTIL THE REQUIRED REPAIR, DEMOLITION OR REMOVAL HAS BEEN COMPLETED, UNTIL THE MANAGER OF CODE COMPLIANCE HAS GIVEN WRITTEN PERMISSION THAT THE SIGN BE REMOVED AND UNTIL A CERTIFICATE OF OCCUPANCY, IF APPLICABLE, HAS BEEN ISSUED PURSUANT TO THE UNIFORM BUILDING CODE.

(C) RECORDATION OF UNSAFE OR DANGEROUS CONDITION. WHEN THE MANAGER HAS DETERMINED THAT A BUILDING IS UNSAFE OR DANGEROUS, HE OR SHE SHALL FILE IN THE OFFICE OF THE REGISTER OF DEEDS A NOTICE DESCRIBING THE PROPERTY AND CERTIFYING THAT THE BUILDING IS AN UNSAFE OR DANGEROUS BUILDING AND THAT THE OWNER HAS BEEN SO NOTIFIED. WHENEVER THE CORRECTIONS ORDERED ARE THEREAFTER COMPLETED OR THE BUILDING DEMOLISHED SO THAT IT NO LONGER EXISTS AS AN UNSAFE OR DANGEROUS BUILDING ON THE PROPERTY DESCRIBED IN THE NOTICE, THE MANAGER SHALL FILE A NEW NOTICE WITH THE REGISTER OF DEEDS CERTIFYING THAT THE BUILDING HAS BEEN DEMOLISHED OR THAT ALL REQUIRED CONDITIONS HAVE BEEN MET SO THAT THE BUILDING IS NO LONGER UNSAFE OR DANGEROUS.

#### (D) NOTICES.

(1) WHEN THE WHOLE OR ANY PART OF ANY BUILDING OR STRUCTURE IS FOUND TO BE IN A DANGEROUS OR UNSAFE CONDITION, THE MANAGER SHALL ISSUE A NOTICE OF THE DANGEROUS AND UNSAFE CONDITION.

(2) SUCH NOTICE SHALL BE DIRECTED TO THE OWNER, AGENT OR LESSEE REGISTERED WITH THE CODE COMPLIANCE DIVISION. IF NO OWNER, AGENT OR LESSEE HAS BEEN REGISTERED, THEN THE NOTICE SHALL BE DIRECTED TO EACH OWNER OF OR PARTY IN INTEREST IN THE BUILDING IN WHOSE NAME THE PROPERTY APPEARS ON THE LAST LOCAL TAX ASSESSMENT RECORDS.

(3) THE NOTICE SHALL SPECIFY THE TIME AND PLACE OF A HEARING ON THE CONDITION OF THE BUILDING OR STRUCTURE AT WHICH TIME AND PLACE THE PERSON TO WHOM THE NOTICE IS DIRECTED SHALL HAVE THE OPPORTUNITY TO SHOW CAUSE WHY THE BUILDING OR STRUCTURE SHOULD NOT BE ORDERED TO BE DEMOLISHED OR OTHERWISE MADE SAFE.

(4) THE MAYOR SHALL APPOINT TWO OR MORE



HEARING OFFICERS, WHO SHALL NOT BE EMPLOYEES OF THE CITY, TO SERVE AT HIS OR HER PLEASURE. A HEARING OFFICER SHALL BE A PERSON WHO HAS EXPERTISE IN HOUSING MATTERS, INCLUDING, BUT NOT LIMITED TO, AN ENGINEER, ARCHITECT, BUILDING CONTRACTOR, BUILDING INSPECTOR OR MEMBER OF A COMMUNITY HOUSING ORGANIZATION. THERE SHALL BE A MINIMUM OF ONE HEARING DATE PER MONTH, UNLESS THERE IS NO BUSINESS TO CONDUCT. EACH SEPARATE MATTER NOTICED TO BE HEARD AT THE HEARING SHALL BE ASSIGNED TO ONE HEARING OFFICER. THE HEARING OFFICER MAY CONSULT WITH ANY OTHER OFFICER BEFORE MAKING HIS OR HER FINDING. THE MANAGER OF THE CODE COMPLIANCE DIVISION SHALL FILE WITH THE HEARING OFFICER A COPY OF THE NOTICE THAT THE BUILDING OR STRUCTURE IS A DANGEROUS BUILDING.

(5) ALL NOTICES SHALL BE IN WRITING AND SHALL BE SERVED UPON THE PERSON TO WHOM THEY ARE DIRECTED PERSONALLY, OR IN LIEU OF PERSONAL SERVICE MAY BE MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, ADDRESSED TO SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON THE TAX RECORDS, AT LEAST TEN DAYS BEFORE THE DATE OF THE HEARING DESCRIBED IN THE NOTICE. IN ADDITION TO MAILING THE NOTICE, A COPY THEREOF SHALL BE POSTED UPON A CONSPICUOUS PART OF THE BUILDING OR STRUCTURE.

(E) HEARING AND COSTS.

(1) THE HEARING OFFICER SHALL TAKE TESTIMONY OF THE MANAGER OF CODE COMPLIANCE, THE OWNER OF THE PROPERTY AND ANY INTERESTED PARTY. THE HEARING OFFICER SHALL RENDER HIS OR HER DECISION, EITHER CLOSING THE PROCEEDINGS OR ORDERING THE BUILDING TO BE DEMOLISHED OR OTHERWISE MADE SAFE.

(2) IF IT IS DETERMINED BY THE HEARING OFFICER THAT THE BUILDING OR STRUCTURE SHOULD BE DEMOLISHED OR OTHERWISE MADE SAFE, HE OR SHE SHALL SO ORDER, FIXING A TIME IN THE ORDER FOR THE OWNER, AGENT OR LESSEE TO COMPLY THEREWITH.

(3) IF THE OWNER, AGENT OR LESSEE FAILS TO APPEAR OR FAILS TO ACT WITHIN TWO WEEKS FROM THE DATE OF THE HEARING, THE HEARING OFFICER SHALL FILE A REPORT OF HIS OR HER FINDINGS AND A COPY OF THE ORDER WITH COUNCIL AND REQUEST THAT THE NECESSARY ACTION BE TAKEN TO DEMOLISH OR OTHERWISE MAKE SAFE THE BUILDING OR STRUCTURE. A COPY OF THE FINDINGS AND ORDER OF THE HEARING OFFICER SHALL BE SERVED UPON THE OWNER, AGENT OR LESSEE IN THE MANNER PRESCRIBED IN SUBSECTION (D) HEREOF.

(4) COUNCIL SHALL FIX A DATE FOR A HEARING, REVIEWING THE FINDINGS AND ORDER OF THE HEARING OFFICER, AND SHALL GIVE NOTICE TO THE OWNER, AGENT OR LESSEE IN THE MANNER PRESCRIBED IN SUBSECTION (D) HEREOF OF THE TIME AND PLACE OF THE HEARING. AT THE HEARING, THE OWNER, AGENT OR LESSEE SHALL BE GIVEN AN OPPORTUNITY TO SHOW CAUSE WHY THE BUILDING SHOULD NOT BE DEMOLISHED OR OTHERWISE MADE SAFE, AND COUNCIL SHALL EITHER APPROVE, DISAPPROVE OR MODIFY THE ORDER FOR THE DEMOLITION OR MAKING SAFE OF THE BUILDING OR STRUCTURE. IF COUNCIL MAKES THE DETERMINATION THAT THE BUILDING SHALL BE DEMOLISHED OR MADE SAFE, THE OWNER, AGENT OR LESSEE SHALL HAVE TWENTY DAYS WITHIN WHICH TO COMMENCE REPAIRS OR DEMOLITION. IF, AFTER TWENTY DAYS, COUNCIL'S ORDER HAS NOT BEEN SUBSTANTIALLY COMPLIED WITH, COUNCIL MAY

ORDER THE MANAGER OF CODE COMPLIANCE TO PROCEED WITH THE WORK SPECIFIED IN SUCH ORDER.

(5) ANY COST INCURRED BY THE CITY IN THE DEMOLITION OR MAKING SAFE OF THE BUILDING SHALL BE A LIEN AGAINST THE REAL PROPERTY AND SHALL BE REPORTED TO THE CITY ASSESSOR WHO SHALL ASSESS THE COST AGAINST THE PROPERTY ON WHICH THE BUILDING IS LOCATED.

(6) THE OWNER OR PARTY IN INTEREST IN WHOSE NAME THE PROPERTY APPEARS UPON THE LAST LOCAL TAX ASSESSMENT RECORDS SHALL BE NOTIFIED OF THE AMOUNT OF SUCH COSTS BY FIRST CLASS MAIL AT THE ADDRESS SHOWN ON THE RECORDS. IF THE OWNER OR PARTY IN INTEREST FAILS TO PAY THE SAME WITHIN THIRTY DAYS AFTER MAILING BY THE CITY ASSESSOR OF THE NOTICE OF THE AMOUNT THEREOF, THE CITY ASSESSOR SHALL ADD THE SAME TO THE NEXT TAX ROLL OF THE CITY AND THE SAME SHALL BE COLLECTED IN THE SAME MANNER IN ALL RESPECTS AS PROVIDED BY LAW FOR THE COLLECTION OF TAXES BY THE CITY.

(F) APPEALS TO CIRCUIT COURT. AN OWNER AGGRIEVED BY ANY FINAL DECISION OR ORDER OF COUNCIL UNDER SUBSECTION (E) HEREOF MAY APPEAL THE DECISION OR ORDER TO THE CIRCUIT COURT BY FILING A PETITION FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN TWENTY DAYS FROM THE DATE OF THE DECISION.

(G) EMERGENCY ALTERATION/REPAIRS. WHENEVER THE MANAGER OF CODE COMPLIANCE DETERMINES THAT A CONDITION EXISTS THAT IS IMMEDIATELY DANGEROUS TO HUMAN LIFE, THE MANAGER MAY ORDER EMERGENCY REPAIRS/ALTERATIONS WITHOUT NOTICE AS MAY BE REQUIRED BY OTHER SECTIONS OF THESE CODIFIED ORDINANCES. SUCH CONDITIONS SHALL BE DANGEROUS TO THE EXTENT THAT ANY DELAY IN TAKING CORRECTIVE ACTION WILL POSE, IN THE OPINION OF THE MANAGER, AN IMMEDIATE THREAT TO LIFE AND SAFETY. THE MANAGER, AS SOON AS PRACTICAL, SHALL NOTIFY THE TAXPAYER OF RECORD, IN WRITING, OF THE ACTION TAKEN TO CORRECT THE UNSAFE CONDITION. ALL COSTS FOR SUCH WORK SHALL BE THE RESPONSIBILITY OF THE TAXPAYER OF RECORD AND SHALL BE PLACED ON THE TAX ROLL IF NOT PAID IN FULL WITHIN THIRTY DAYS OF THE DATE OF THE WRITTEN NOTICE OF THE CORRECTIVE ACTION.

## 1460.25 APPEALS.

(A) FORM. ANY PERSON RECEIVING A NOTICE UNDER SECTION 1460.22(B), EXCEPT A PERSON RECEIVING NOTICE OF A VIOLATION OF SECTION 1460.21, MAY APPEAL FROM ANY NOTICE AND ORDER OR ANY ACTION OF THE MANAGER OF CODE COMPLIANCE UNDER THIS CHAPTER BY FILING A WRITTEN APPEAL AT THE OFFICE OF THE MANAGER WITHIN TEN DAYS FROM THE DATE OF RECEIVING SUCH NOTICE.

(B) PROCESSING. UPON RECEIPT OF ANY APPEAL FILED PURSUANT TO THIS SECTION, THE MANAGER SHALL PRESENT IT AT THE NEXT REGULAR OR SPECIAL MEETING OF THE BUILDING BOARD OF APPEALS.

(C) HEARINGS. AS SOON AS PRACTICAL AFTER RECEIVING THE WRITTEN APPEAL, THE BOARD SHALL FIX A DATE, TIME AND PLACE FOR THE HEARING OF THE APPEAL. SUCH DATE SHALL BE NOT LESS THAN TEN DAYS NOR MORE THAN SIXTY DAYS FROM THE DATE THE APPEAL WAS FILED WITH THE MANAGER. WRITTEN NOTICE OF THE TIME AND PLACE OF THE HEARING SHALL BE GIVEN AT LEAST TEN DAYS PRIOR TO THE DATE OF THE HEARING TO EACH APPELLANT BY



THE SECRETARY OF THE BOARD, EITHER BY CAUSING A COPY OF SUCH NOTICE TO BE DELIVERED TO THE APPELLANT PERSONALLY OR BY MAILING A COPY THEREOF, POSTAGE PREPAID, ADDRESSED TO THE APPELLANT AT THE ADDRESS SHOWN ON THE APPEAL.

(D) FAILURE TO APPEAL. FAILURE OF ANY PERSON TO FILE AN APPEAL SHALL CONSTITUTE A WAIVER OF THE RIGHT TO AN ADMINISTRATIVE HEARING AND ADJUDICATION OF THE NOTICE AND ORDER, OR ANY PORTION THEREOF.

(E) SCOPE. ONLY THOSE MATTERS OR ISSUES SPECIFICALLY RAISED BY THE APPELLANT SHALL BE CONSIDERED IN THE HEARING OF THE APPEAL.

(F) STAYING OF ORDER. ENFORCEMENT OF ANY NOTICE AND ORDER OF THE MANAGER ISSUED UNDER THIS CHAPTER SHALL BE STAYED DURING THE PENDENCY OF AN APPEAL THEREFROM WHICH IS PROPERLY AND TIMELY FILED.

(G) SUBSTANDARD PREMISES NOTICE/ORDER REVIEW. ANY PERSON RECEIVING A NOTICE/ORDER FOR A VIOLATION UNDER SECTION 1460.21, OR HAVING AN INTEREST IN THE SUBJECT PREMISES, MAY HAVE SUCH NOTICE/ORDER REVIEWED BY THE MANAGER OF CODE COMPLIANCE OR HIS OR HER DESIGNEE; EXCEPT THAT THE DESIGNEE SHALL NOT BE THE BUILDING OFFICIAL WHO ISSUED THE NOTICE/ORDER. THE MANAGER OR HIS OR HER DESIGNEE MAY, ON THE BASIS OF INFORMATION PRESENTED BY OR ON BEHALF OF A PERSON AGGRIEVED BY THE NOTICE/ORDER:

(1) AFFIRM, MODIFY OR RESCIND THE NOTICE/ORDER OF THE BUILDING OFFICIAL; OR

(2) GRANT AN EXTENSION OF TIME, NOT TO EXCEED AN ADDITIONAL THREE DAYS, TO COMPLY WITH THE NOTICE/ORDER, PROVIDED THAT NO SUCH EXTENSION SHALL BE GRANTED IF THE MANAGER OR HIS OR HER DESIGNEE DETERMINES THAT THE CONDITION CITED IN THE NOTICE/ORDER IS IMMINENTLY DANGEROUS TO LIFE OR PROPERTY.

#### 1460.26 RENTAL PROPERTIES.

(A) REGISTRY. THE CODE COMPLIANCE DIVISION SHALL MAINTAIN A REGISTRY OF OWNERS OF ALL RENTAL DWELLINGS AND UNITS, INCLUDING MULTIPLE, SINGLE-FAMILY AND TWO-FAMILY DWELLINGS, AND LODGING HOUSES CONTAINING THREE OR MORE DWELLING UNITS, EFFICIENCY DWELLING UNITS OR GUEST ROOMS, OR A COMBINATION THEREOF, EXCEPT OWNER-OCCUPIED SINGLE-FAMILY OR TWO-FAMILY DWELLINGS. OWNERS SUBJECT TO THIS SECTION SHALL REGISTER THEIR NAMES AND PLACE OF RESIDENCE OR USUAL PLACES OF BUSINESS, AND THE LOCATION OF THE PREMISES REGULATED BY THIS CHAPTER, WITH THE CODE COMPLIANCE DIVISION. THE OWNERS SHALL BE RESPONSIBLE FOR REGISTRATION WITHIN THIRTY DAYS FOLLOWING THE DAY ON WHICH THE OWNER OFFERS THE DWELLING OR UNIT FOR OCCUPANCY. IF THERE IS A TRANSFER OR CHANGE IN ANY OWNER OR AGENT REQUIRED TO REGISTER UNDER THIS SECTION, THE NEW OWNER OR AGENT SHALL, WITHIN FIFTEEN DAYS OF SUCH TRANSFER OR CHANGE, NOTIFY THE CODE COMPLIANCE DIVISION THEREOF AND PROVIDE THE INFORMATION REQUIRED UNDER THIS SECTION. IF THE PREMISES ARE MANAGED OR OPERATED BY AN AGENT, THE AGENT'S NAME AND PLACE OF BUSINESS SHALL BE PLACED WITH THE OWNER IN THE REGISTRY. AFTER REGISTRATION, IF THE REGISTERED OWNER OR AGENT CHANGES RESIDENCE OR HIS OR HER USUAL PLACE OF BUSINESS, HE OR SHE SHALL PROVIDE THE NEW

ADDRESS TO THE CODE COMPLIANCE DIVISION WITHIN FIFTEEN DAYS OF SUCH CHANGE. THE OWNER SHALL PROVIDE SUCH OTHER INFORMATION AS MAY BE REQUIRED BY THE DIVISION. "RENTAL", AS USED IN THIS SECTION, MEANS ANY PREMISES DESCRIBED IN THIS SUBSECTION WHICH IS OR WILL BE OFFERED TO LET, OR TO HIRE.

(B) INSPECTIONS. THE MANAGER OF CODE COMPLIANCE SHALL INSPECT, ON A PERIODIC BASIS, ALL DWELLINGS AND UNITS REQUIRED TO BE REGISTERED UNDER THIS SECTION. IN NO EVENT SHALL THE PERIOD BETWEEN INSPECTIONS BE LONGER THAN TWO YEARS, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION. INSPECTIONS SHALL BE CONDUCTED IN THE MANNER BEST CALCULATED TO SECURE COMPLIANCE WITH THIS CHAPTER AND APPROPRIATE TO THE NEEDS OF THE COMMUNITY. THE MANAGER MAY REQUEST PERMISSION TO ENTER ANY PREMISES REGULATED BY THIS CHAPTER AT REASONABLE HOURS TO UNDERTAKE AN INSPECTION. UPON AN EMERGENCY, THE MANAGER MAY ENTER AT ANY TIME. INSPECTIONS MAY BE CONDUCTED ON ONE OR MORE OF THE FOLLOWING BASES:

(1) AN AREA BASIS, SUCH THAT ALL REGULATED PREMISES IN A PREDETERMINED GEOGRAPHICAL AREA WILL BE INSPECTED SIMULTANEOUSLY OR WITHIN A SHORT PERIOD OF TIME:

(2) A COMPLAINT BASIS, SUCH THAT COMPLAINTS OF VIOLATIONS WILL BE INSPECTED WITHIN A REASONABLE TIME: AND

(3) A RECURRENT VIOLATION BASIS, SUCH THAT THOSE PREMISES WHICH ARE FOUND TO HAVE A HIGH INCIDENCE OF RECURRENT OR UNCORRECTED VIOLATIONS WILL BE INSPECTED MORE FREQUENTLY. THE OWNER OR AGENT SHALL ENSURE THAT THE PREMISES REGULATED BY THIS SECTION ARE ACCESSIBLE FOR INSPECTION DURING NORMAL WORKING HOURS OF THE CODE COMPLIANCE DIVISION, EXCEPT THAN AN OCCUPANT OF THE PREMISES MAY ALLOW INSPECTION AT ANY TIME.

(C) FEES. THE CITY SHALL CHARGE NON-REFUNDABLE FEES FOR INSPECTION AND/OR REGISTRATION, WHICH FEES SHALL BE SET BY RESOLUTION OF COUNCIL AND WHICH SHALL BE PAID AT THE TIME OF REGISTRATION AND IN ADVANCE OF INSPECTION.

(D) WARRANTS.

(1) IN A NON-EMERGENCY SITUATION, IF THE OWNER OR OCCUPANT DEMANDS A WARRANT FOR INSPECTION OF THE PREMISES, THE MANAGER SHALL OBTAIN A WARRANT FROM A COURT OF COMPETENT JURISDICTION. THE MANAGER OF CODE COMPLIANCE SHALL PREPARE THE WARRANT, STATING THE ADDRESS OF THE BUILDING TO BE INSPECTED, THE NATURE OF THE INSPECTION, AS DEFINED IN THIS SECTION OR OTHER APPLICABLE CODES OR STATUTES, AND THE REASONS FOR THE INSPECTION. IT SHALL BE APPROPRIATE AND SUFFICIENT TO SET FORTH THE BASIS FOR INSPECTION (E.G. COMPLAINT, AREA OR RECURRENT VIOLATION BASIS) ESTABLISHED IN THIS SECTION. IF THE WARRANT IS ISSUED PURSUANT TO THIS SECTION, IT SHALL STATE THAT IT IS FOR THE PURPOSES SET FORTH IN THIS SECTION.

(2) IF THE COURT FINDS THAT THE WARRANT IS IN PROPER FORM AND IN ACCORDANCE WITH THIS SECTION, IT SHALL BE ISSUED FORTHWITH.

(3) IN THE EVENT OF AN EMERGENCY, NO WARRANT SHALL BE REQUIRED.

(E) PROCEDURES\* INSPECTION RECORDS AND CHECKLISTS,



(1) THE INSPECTION PROCEDURES SET FORTH IN THIS CHAPTER ARE ESTABLISHED IN THE PUBLIC INTEREST, TO SECURE THE HEALTH AND SAFETY OF THE OCCUPANTS OF DWELLINGS AND OF THE GENERAL PUBLIC.

(2) THE CODE COMPLIANCE DIVISION SHALL KEEP A RECORD OF ALL INSPECTIONS.

(3) THE DIVISION SHALL MAKE AVAILABLE TO THE GENERAL PUBLIC A CHECKLIST OF COMMONLY RECURRING VIOLATIONS FOR USE IN EXAMINING PREMISES OFFERED FOR OCCUPANCY.

(F) CERTIFICATES OF COMPLIANCE.

(1) RENTAL DWELLINGS OR UNITS REQUIRED BY THIS CHAPTER TO BE REGISTERED SHALL NOT BE OCCUPIED UNLESS A CERTIFICATE OF COMPLIANCE OR TEMPORARY CERTIFICATE FOR OCCUPANCY HAS BEEN ISSUED BY THE CODE COMPLIANCE DIVISION. THE CERTIFICATE SHALL BE ISSUED ONLY UPON AN INSPECTION OF THE PREMISES BY THE DIVISION, EXCEPT AS PROVIDED IN SUBSECTION (H) HEREOF. THE CERTIFICATE SHALL BE ISSUED WITHIN FIFTEEN DAYS AFTER WRITTEN APPLICATION THEREFOR IF THE DWELLING, AT THE TIME OF THE APPLICATION, MEETS THE REQUIREMENTS OF THIS CHAPTER.

(2) A VIOLATION OF THIS CHAPTER SHALL NOT PREVENT THE ISSUANCE OF A CERTIFICATE, BUT THE DIVISION SHALL NOT ISSUE A CERTIFICATE WHEN THE EXISTING CONDITIONS CONSTITUTE A HAZARD TO THE HEALTH OR SAFETY OF THOSE WHO MAY OCCUPY THE PREMISES.

(3) IN THE CASE OF NEW CONSTRUCTION, INSPECTIONS SHALL BE MADE PRIOR TO FIRST OCCUPANCY. THEREAFTER, INSPECTIONS SHALL BE AT TWO-YEAR INTERVALS. UPON A FINDING THAT THERE IS NO CONDITION THAT WOULD CONSTITUTE A HAZARD TO THE HEALTH AND SAFETY OF THE OCCUPANTS AND THAT THE PREMISES ARE OTHERWISE FIT FOR OCCUPANCY, THE CERTIFICATE SHALL BE ISSUED. IF THE FINDING IS OF A CONDITION THAT WOULD CONSTITUTE A HAZARD TO HEALTH OR SAFETY, NO CERTIFICATE SHALL BE ISSUED, AND AN ORDER TO COMPLY WITH THIS CHAPTER SHALL BE ISSUED IMMEDIATELY AND SERVED UPON THE OWNER IN ACCORDANCE WITH SUBSECTION (I) HEREOF. ON REINSPECTION AND PROOF OF COMPLIANCE, THE ORDER SHALL BE RESCINDED AND A CERTIFICATE ISSUED.

(4) UPON A FINDING THAT THERE IS A VIOLATION OF THIS CHAPTER, BUT THAT THE VIOLATION DOES NOT CONSTITUTE A HAZARD TO THE HEALTH AND SAFETY OF THE OCCUPANTS, A TEMPORARY CERTIFICATE SHALL BE ISSUED, BUT SUCH CERTIFICATE SHALL NOT AFFECT ENFORCEMENT OF THE VIOLATION UNDER THIS CHAPTER.

(G) APPLICATION FOR CERTIFICATE.

(1) AN OWNER OR AGENT SHALL APPLY FOR A CERTIFICATE OF COMPLIANCE. INSPECTION AND ISSUANCE OF CERTIFICATES SHALL COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER AND WITH THE PROCEDURES ESTABLISHED BY THE CODE COMPLIANCE DIVISION. IF ANY OWNER OR AGENT FAILS TO MAKE SUCH APPLICATION, THE OCCUPANT OF THE DWELLING MAY APPLY FOR A CERTIFICATE.

(2) WHEN A CERTIFICATE IS WITHHELD PENDING COMPLIANCE OR THE RENTAL DWELLING IS NOT PROPERLY REGISTERED, PREMISES WHICH HAVE NOT BEEN OCCUPIED OR ARE NOT OCCUPIED FOR DWELLING PURPOSES SHALL NOT BE OCCUPIED, AND THOSE PREMISES WHICH ARE OCCUPIED FOR DWELLING PURPOSES MAY BE ORDERED VACATED UNTIL REINSPECTION AND PROOF OF COMPLIANCE, AT THE DISCRETION OF THE MANAGER OF CODE

COMPLIANCE.

(3) IF A RENTAL DWELLING UNIT LACKS A CURRENT CERTIFICATE OR IS NOT PROPERLY REGISTERED, OCCUPANTS MAY PAY THE RENT INTO AN ESCROW ACCOUNT UNTIL A CERTIFICATE OF COMPLIANCE IS ISSUED. THE CODE COMPLIANCE DIVISION MAY NOTIFY OCCUPANTS WHEN THE CERTIFICATE OF COMPLIANCE IS ISSUED.

(4) A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED ON THE CONDITION THAT THE PREMISES REMAIN IN A SAFE, HEALTHFUL AND FIT CONDITION FOR OCCUPANCY. IF, UPON REINSPECTION, THE MANAGER DETERMINES THAT CONDITIONS EXIST WHICH CONSTITUTE A HAZARD TO HEALTH OR SAFETY, THE CERTIFICATE SHALL BE IMMEDIATELY REVOKED AS TO THE AFFECTED PREMISES, AND THE PREMISES MAY BE VACATED AS PROVIDED IN PARAGRAPH (G)(2) HEREOF.

(H) TEMPORARY CERTIFICATES.

(1) AN OWNER OR AGENT SHALL APPLY FOR A CERTIFICATE OF COMPLIANCE. INSPECTION AND ISSUANCE OF A CERTIFICATE SHALL COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER AND WITH PROCEDURES ESTABLISHED BY THE CODE COMPLIANCE DIVISION. THE DIVISION MAY AUTHORIZE THE ISSUANCE OF TEMPORARY CERTIFICATES

FOR OCCUPANCY WITHOUT INSPECTION FOR THOSE PREMISES IN WHICH THERE ARE NO VIOLATIONS OF RECORD AND SHALL ISSUE SUCH TEMPORARY CERTIFICATES FOR OCCUPANCY UPON APPLICATION IN CASES WHERE INSPECTIONS ARE NOT CONDUCTED WITHIN A REASONABLE TIME. TEMPORARY CERTIFICATES FOR OCCUPANCY SHALL ALSO BE ISSUED FOR PREMISES WITH VIOLATIONS OF RECORD, WHETHER EXISTING BEFORE OR AFTER SUCH EFFECTIVE DATE, WHEN THE OWNER CAN SHOW PROOF OF HAVING UNDERTAKEN TO CORRECT SUCH CONDITIONS, OR WHEN AN OWNER REHABILITATION PLAN HAS BEEN ACCEPTED BY THE COURT.

(2) AN APPLICATION FOR A CERTIFICATE SHALL BE MADE:

- A. WHEN THE OWNERS, OR ANY OF THEM, ENROLLS IN THE REGISTRY OF OWNERS AND PREMISES: OR
- B. WITHIN SIXTY DAYS PRIOR TO THE TWO-YEAR AUTOMATIC EXPIRATION OF, A CERTIFICATE OF COMPLIANCE, BUT NOT LESS THAN THIRTY DAYS PRIOR TO SUCH CERTIFICATE EXPIRATION.

(I) VIOLATION CORRECTION AND INSPECTION.

(1) IF, UPON INSPECTION, THE PREMISES OR ANY PART THEREOF ARE FOUND TO BE IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CHAPTER, THE VIOLATION SHALL BE RECORDED BY THE CODE COMPLIANCE DIVISION IN THE REGISTRY OF OWNERS AND PREMISES.

(2) THE OWNER AND, AT THE DISCRETION OF THE CODE COMPLIANCE DIVISION, THE OCCUPANTS, SHALL BE NOTIFIED, IN WRITING, OF THE EXISTENCE OF THE VIOLATION AND SHALL BE ORDERED TO CORRECT THE VIOLATION AS PROVIDED IN THIS CHAPTER.

(3) THE DIVISION SHALL REINSPECT AFTER A REASONABLE TIME FOR THE PURPOSE OF ASCERTAINING WHETHER OR NOT THE VIOLATION HAS BEEN CORRECTED.

(4) IF ANY CERTIFICATE OF COMPLIANCE OR TEMPORARY CERTIFICATE FOR OCCUPANCY IS REVOKED BECAUSE OF THE CONDITION OF ANY DWELLING UNIT, THE REGISTERED OWNER OR AGENT MAY APPEAL SUCH REVOCATION UNDER SECTION 1460.25, EXCEPT THAT SUCH AN APPEAL SHALL BE IN ADDITION TO AND SHALL NOT CHANGE



IN ANY WAY THE PROCEDURE CONTAINED IN SECTION 1460.24.

(J) ENFORCEMENT. THIS SECTION SHALL NOT LIMIT OR ELIMINATE ANY RIGHTS OF ACTION AT COMMON LAW OR ANY ENFORCEMENT OF STATUTES REGULATING THE SUBJECT MATTER OF THIS CHAPTER.

#### 1460.27 VACANT OR BOARDED BUILDINGS.

(A) INSPECTIONS GENERALLY. ANY BUILDING DESIGNED OR INTENDED TO BE USED FOR HUMAN HABITATION WHICH IS UNOCCUPIED OR VACANT, OR WHICH IS UNOCCUPIED AND BOARDED OVER IN SUCH A MANNER AS TO PREVENT THE USE OF ANY DOOR OR WINDOW, SHALL BE INSPECTED AT THE REQUEST OF THE MANAGER OF CODE COMPLIANCE WHEN SUCH FAILURE TO OCCUPY AND/OR BOARDING OVER HAS EXISTED FOR MORE THAN 180 DAYS IMMEDIATELY PRECEDING THE DATE THE MANAGER MAKES THE REQUEST FOR INSPECTION. CODE COMPLIANCE DIVISION WHEN SUCH FAILURE TO OCCUPY AND/OR BOARDING OVER HAS EXISTED FOR MORE THAN 180 DAYS IMMEDIATELY PRECEDING THE DATE THE MANAGER MAKES THE REQUEST FOR INSPECTION. "REQUEST FOR INSPECTION," AS USED IN THIS SECTION, MEANS EITHER A VERBAL REQUEST MADE OF ANY OWNER OF THE BUILDING OR A WRITTEN REQUEST MAILED TO THE OWNER, AGENT OR LESSOR REGISTERED WITH THE CODE COMPLIANCE DIVISION OR, IF NO OWNER, AGENT OR LESSOR HAS BEEN REGISTERED, THEN A REQUEST MAILED TO EACH OWNER OR PARTY IN INTEREST, IN WHOSE NAME THE PROPERTY APPEARS AT THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS. WRITTEN REQUEST SHALL BE SERVED IN THE SAME MANNER AS PROVIDED FOR SERVICE OF A NOTICE IN SECTION 1460.22(c) AND SHALL BE CONSIDERED RECEIVED THREE DAYS AFTER MAILING.

(B) PERIODIC INSPECTIONS. AFTER THE INITIAL INSPECTION OF A BUILDING DESCRIBED IN SUBSECTION (A) HEREOF, THE MANAGER MAY INSPECT SUCH BUILDING ON A PERIODIC BASIS AS LONG AS SUCH NONUSE AND/OR BOARDING OVER CONTINUES. IN NO EVENT SHALL THE PERIOD BETWEEN INSPECTIONS BE LONGER THAN SIX MONTHS.

(C) ISSUANCE OF WARRANTS. IF THE OWNER, AGENT OR LESSOR FAILS TO RESPOND OR CONSENT TO ANY INSPECTION REQUEST, THE MANAGER SHALL OBTAIN A WARRANT FOR INSPECTION FROM A COURT OF COMPETENT JURISDICTION. THE MANAGER SHALL PREPARE THE WARRANT WITH THE ASSISTANCE OF THE CITY ATTORNEY OR HIS OR HER DESIGNEE. THE WARRANT SHALL STATE THE ADDRESS OF THE BUILDING TO BE INSPECTED AND THAT SUCH WARRANT IS ISSUED PURSUANT TO THIS SECTION. THE POLICY STATED IN SECTION 1460.26(e)(1) APPLIES TO THIS SECTION.

#### 1460.28 CONFLICT OF LAWS.

IN THE EVENT OF A CONFLICT BETWEEN ANY OF THE PROVISIONS OF THIS CHAPTER AND ANY OTHER PROVISION OF THESE CODIFIED ORDINANCES, OR BETWEEN ANY OF THE PROVISIONS OF THIS CHAPTER AND A PROVISION OF ANY STATUTE REGULATING THE SUBJECT MATTER OF THIS CHAPTER, THE MOST RESTRICTIVE PROVISION OR THE HIGHEST STANDARD SHALL CONTROL.

#### 1460.29 SMOKE DETECTORS.

(A) ANY DWELLING, WHETHER AN OWNER OCCUPIED, SINGLE-FAMILY, TWO-FAMILY OR MULTIPLE DWELLING, SHALL BE PROVIDED WITH SMOKE DETECTORS IN LOCATIONS SET FORTH IN SUBSECTION (C) HEREOF. THE DETECTORS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND SHALL BE OPERATIONAL AT ALL TIMES.

(B) A SMOKE DETECTOR MAY BE BATTERY OPERATED OR MAY RECEIVE ITS PRIMARY POWER FROM THE BUILDING WIRING WHEN SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN THOSE REQUIRED FROM OVER CURRENT PROTECTION.

(C) SMOKE DETECTORS SHALL BE INSTALLED ON ALL LEVELS OF DWELLINGS. DETECTORS SHALL BE MOUNTED ON THE CEILING OR WALL AT A POINT CENTRALLY LOCATED ON THE CORRIDOR OR AREA GIVING ACCESS TO EACH SEPARATE SLEEPING AREA. WHERE SLEEPING AREAS ARE ON AN UPPER LEVEL, THE SMOKE DETECTOR SHALL BE PLACED AT THE CENTER OF THE CEILING DIRECTLY ABOVE THE STAIRWAY. DETECTORS SHALL ALSO BE INSTALLED IN THE BASEMENT OF DWELLING UNITS WHICH HAVE A STAIRWAY WHICH OPENS FROM THE BASEMENT INTO THE DWELLING. DETECTORS SHALL SOUND AN ALARM AUDIBLE IN ALL SLEEPING AREAS OF THE DWELLING IN WHICH THEY ARE LOCATED.

#### 1460.30 ABANDONED/DISABLED MOTOR VEHICLES

(A) ABANDONED/DISABLED MOTOR VEHICLES REGULATED. NO PERSON SHALL PERMIT ANY ABANDONED/DISABLED MOTOR VEHICLE, AS DEFINED, TO BE PARKED, PLACED, OR ALLOWED TO REMAIN WITHIN THE CITY OF LANSING, IN VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

##### (B) ABANDONED/DISABLED MOTOR VEHICLES DEFINED.

(I) FOR THE PURPOSES OF THIS ORDINANCE, AN ABANDONED/DISABLED MOTOR VEHICLE IS DEFINED AS A MOTOR VEHICLE WHICH IS DISMANTLED, IN WHOLE OR IN PART, AND/OR WHICH IS MECHANICALLY UNABLE TO OPERATE AS THE RESULT OF A MECHANICAL DEFECT OR MALFUNCTION. A MECHANICAL DEFECT OR MALFUNCTION INCLUDES, BUT IS NOT LIMITED TO, ONE OR MORE DEFLATED OR MISSING TIRES, OR A VEHICLE RESTING ON SUPPORTS OTHER THAN INFLATED TIRES. THE ABSENCE OF MINOR AND NON-ESSENTIAL PARTS SUCH AS ANTENNAS, OR ORNAMENTS, HUB CAPS, ETC., SHALL NOT CAUSE A VEHICLE TO BE DEEMED DISMANTLED AND THUS ABANDONED/DISABLED. ANY VEHICLE WHICH IS NOT CAPABLE OF BEING LICENSED FOR OPERATION ON THE RIGHTS OF WAY OF THE STREETS, ALLEYS, OR HIGHWAYS OF THE CITY SHALL BE DEEMED ABANDONED/DISABLED.

(II) A VEHICLE WHICH IS MECHANICALLY UNABLE TO OPERATE IS PERMITTED TO BE STORED IN THE COMMERCIAL ZONED AREAS OF THE CITY WHERE THE PROPERTY OWNER OPERATES A LICENSED VEHICLE REPAIR SHOP AND THE PROPERTY HAS ALL ZONING APPROVALS NECESSARY. ALL VEHICLES STORED IN ACCORDANCE WITH THIS SECTION REGARDING LICENSED VEHICLE REPAIR SHOPS MUST BE STORED IN COMPLETELY ENCLOSED BUILDINGS OR BEHIND FENCES IN ACCORDANCE WITH THE ZONING DISTRICT IN WHICH THE PROPERTY IS LOCATED.

(C) PROHIBITED ON STREETS. ABANDONED/DISABLED MOTOR VEHICLES SHALL NOT BE PERMITTED ON THE RIGHTS OF WAY OF THE STREETS, ALLEYS, OR HIGHWAYS OF THE CITY, PROVIDED, HOWEVER, THAT THIS PROHIBITION SHALL



NOT APPLY TO THE TOWING OR SIMILAR TRANSPORTATION OF SUCH VEHICLES; AND PROVIDED FURTHER, THAT THE REASONABLE TIME (NOT TO EXCEED 48 HOURS FROM THE TIME OF DISABILITY) SHALL BE PERMITTED FOR THE REMOVAL OR SERVICING OF THE ABANDONED/DISABLED VEHICLE IN AN EMERGENCY CAUSED BY AN ACCIDENT OR SUDDEN BREAKDOWN OF THE VEHICLE.

(D) FRONT, SIDE OR REAR YARDS ABANDONED/DISABLED MOTOR VEHICLES OR ANY PARTS OF A MOTOR VEHICLE SHALL NOT BE PERMITTED IN THE FRONT, SIDE, OR REAR YARDS OF ALL PARCELS OF LAND IN THE CITY, UNLESS EXEMPT IN SECTION (B). ABANDONED/DISABLED MOTOR VEHICLES OR PARTS OF MOTOR VEHICLES MAY BE KEPT IN AN ENTIRELY ENCLOSED GARAGE OR OTHER ENTIRELY ENCLOSED STRUCTURES; PROVIDED, HOWEVER, THAT THE TEARING DOWN, STRIPPING OR JUNKING OF A MOTOR VEHICLE SHALL NOT BE PERMITTED.

#### 1460.31. TRANSFER OF OWNERSHIP.

(A) IT SHALL BE UNLAWFUL FOR THE OWNER OF ANY DWELLING, OR PARTY IN INTEREST IN WHOSE NAME THE DWELLING PROPERTY APPEARS ON THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS, WHO HAS RECEIVED A NOTICE OF VIOLATION AND ORDER FOR CORRECTION, OR UPON WHOM A NOTICE OF VIOLATION AND ORDER FOR CORRECTION HAS BEEN SERVED IN THE MANNER PROVIDED UNDER SECTION 1460.22(D), TO SELL OR TRANSFER THE DWELLING TO ANOTHER PERSON UNTIL THE PROVISIONS OF THE NOTICE OF VIOLATION AND ORDER FOR CORRECTION HAVE BEEN COMPLIED WITH, OR UNTIL SUCH OWNER, OR PARTY IN INTEREST IN WHOSE NAME THE DWELLING PROPERTY APPEARS ON THE CITY'S REAL PROPERTY TAX ASSESSMENT RECORDS, SHALL FIRST FURNISH THE GRANTEE OR TRANSFEREE A COPY OF THE NOTICE OF VIOLATION AND ORDER FOR CORRECTION ISSUED BY AN AUTHORIZED ENFORCEMENT OFFICIAL, AND SHALL FURNISH TO THE ENFORCEMENT OFFICIAL A SIGNED AND NOTARIZED STATEMENT FROM THE GRANTEE OR TRANSFEREE ACKNOWLEDGING THE RECEIPT OF THE NOTICE OF VIOLATION AND ORDER FOR CORRECTION, AND FULLY ACCEPTING THE RESPONSIBILITY WITHOUT CONDITION FOR MAKING THE CORRECTIONS OR REPAIRS REQUIRED BY SUCH NOTICE OF VIOLATION AND ORDER FOR CORRECTION.

(B) FOR PURPOSES OF THIS SECTION, THE TERM "SELL OR TRANSFER" MEANS TO CONVEY ANY INTEREST IN A DWELLING IN ANY MANNER EXCEPT BY LEASE, MORTGAGE, GIFT, DEVISE, BEQUEST, OR LIEN FORECLOSURE. THE SALE OR TRANSFER SHALL BE DEEMED TO OCCUR UPON THE TRANSFER OF TITLE, THE EXECUTION OF A LAND CONTRACT, OR THE EXERCISE OF AN OPTION TO PURCHASE A DWELLING.

#### 1460.98. AUTHORIZED CITY OFFICIAL.

ALL CODE COMPLIANCE OFFICERS ARE DESIGNATED AS THE AUTHORIZED CITY OFFICIALS TO ISSUE MUNICIPAL CIVIL INFRACTION CITATIONS (DIRECTING ALLEGED VIOLATORS TO APPEAR IN COURT) OR MUNICIPAL CIVIL INFRACTION VIOLATION NOTICES (DIRECTING ALLEGED VIOLATORS TO APPEAR AT THE CITY OF LANSING MUNICIPAL ORDINANCE VIOLATIONS BUREAU) AS PROVIDED BY THIS CODE.

#### 1460.99. PENALTY.

(A) MUNICIPAL CIVIL INFRACTION. A PERSON WHO VIOLATES ANY PROVISION OF CHAPTER 1460, EXCEPT SUBSECTIONS 1460.23(C)(2) OR 1460.24(B), IS RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION, SUBJECT TO PAYMENT OF A CIVIL FINE, PLUS COSTS AND OTHER SANCTIONS, FOR EACH INFRACTION. REPEAT OFFENSES SHALL BE SUBJECT TO INCREASED FINES AS PROVIDED BY SECTION 202.99(C)(2) OF THIS CODE. A PERSON WHO VIOLATES SUBSECTION 1460.26(A) IS RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION, SUBJECT TO PAYMENT OF A CIVIL FINE OF \$250 FOR A FIRST OFFENSE, PLUS COSTS AND OTHER SANCTIONS, AND SUBJECT TO PAYMENT OF A CIVIL FINE OF \$1000 FOR A REPEAT OFFENSE, AND A CIVIL FINE OF \$5000 FOR A SECOND OR SUBSEQUENT REPEAT OFFENSE.

(B) MISDEMEANOR. A PERSON WHO VIOLATES ANY PROVISION OF SUBSECTIONS 1460.23(C)(2) OR 1460.24(B) IS RESPONSIBLE FOR A MISDEMEANOR, SUBJECT TO PENALTIES AS PROVIDED BY SECTION 202.99(B) OF THIS CODE.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES. RESOLUTIONS OR RULES INCONSISTENT WITH THESE PROVISIONS ARE REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

SECTION 5. THIS ORDINANCE SHALL EXPIRE IN ONE (1) YEAR FROM THE DATE OF ITS PASSAGE BY CITY COUNCIL UNLESS READOPTED PRIOR TO THAT TIME.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER ALLEN

MARILYNN SLADE, CITY CLERK

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY RELATED MATTERS

FRANK CURTIS "X", NO ADDRESS GIVEN SAID THAT LANSING HAS FAR GREATER PROBLEMS THAN BILLBOARDS. HE SAID THAT SOCIETY CAN ASSASSINATE HIS BLACK BROTHERS, BUT IT CANNOT ASSASSINATE THE TRUTH.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SAID THAT IT IS PAINFUL TO SEE THE WAY THAT COUNCIL WORKS. SHE ASKED COUNCILMEMBERS IF SMOKING IS AS BAD AS CRACK.

WILLY WILLIAMS OF 505 W. LENAWEE SAID THAT 11,922 VOTERS VOTED AGAINST THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. MR. TEETS CAME IN IN LAST PLACE AMONGST ALL OF THE CANDIDATES. MAYOR HOLLISTER WON BY A 70/30 SPLIT. HE THANKED THE "SILENT MAJORITY" FOR CONFIRMING HIS ELECTION PREDICTIONS AND INVITED THEM



TO ATTEND THE COUNCIL MEETINGS. HE ASKED COUNCILMEMBER BEAL TO EXPLAIN A PORTION OF HER CAMPAIGN LITERATURE.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT MR. WILLIAMS PREDICTIONS CAME TRUE BECAUSE ONLY 20% OF THE VOTERS WENT TO THE POLLS. HE COMMENTED THAT THERE WAS TOO MUCH COMMITTEE WORK DONE ON THE FLOOR AT TONIGHT'S MEETING. HE CRITICIZED COUNCILMEMBERS FOR THE FREQUENCY WITH WHICH THEY CANCEL THEIR COMMITTEE MEETINGS AND SAID THAT HE HOPES THAT THE COUNCILMEMBERS ELECT WILL NOT DO SO. HE SAID THAT THIS COUNCIL IS REACTIONARY, RATHER THAN PRO-ACTIVE AND SHOULD HAVE MORE STAFF.

### COMMITTEE REPORTS

THIS COMMITTEE REPORT WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

#### REPORT OF COMMITTEE

THE DEVELOPMENT AND PLANNING COMMITTEE, TO WHOM WAS REFERRED THE REQUEST FROM THE BLUE COYOTE BREW PUB TO REZONE ITS PROPERTY LOCATED AT 113 PERE MARQUETTE FROM "H" LIGHT INDUSTRIAL TO "G-111 BUSINESS DISTRICT.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE REQUEST FROM THE BLUE COYOTE BREW PUB TO REZONE ITS PROPERTY LOCATED AT 113 PERE MARQUETTE FROM "H" LIGHT INDUSTRIAL TO "G-111 BUSINESS DISTRICT BE ADOPTED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY

#### RESOLUTION #659 REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SAFETY, TO WHOM WAS REFERRED THE ORDINANCE AMENDMENTS TO THE HOUSING CODE, CHAPTER 1460, SECTIONS 1460.01 THROUGH 1460.99 OF THE LANSING CODE OF ORDINANCES.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE ORDINANCE AMENDMENTS TO THE HOUSING CODE, CHAPTER 1460, SECTIONS 1460.01 THROUGH 1460.99 OF THE LANSING CODE OF ORDINANCES.

SIGNED: SANDY ALLEN, CHAIRPERSON  
TONY BENAVIDES  
PAUL NOVAK

BY COUNCILMEMBER ALLEN

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

#### RESOLUTION #660 REPORT OF COMMITTEE

THE COMMITTEE OF THE WHOLE, TO WHOM WAS REFERRED THE RECODIFICATION OF ORDINANCES.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT THE RECODIFICATION OF ORDINANCES BE ADOPTED.

SIGNED: ELLEN BEAL, PRESIDENT  
HAROLD LEEMAN, VICE PRESIDENT  
SANDY ALLEN  
JOAN BAUER  
TONY BENAVIDES  
HOWARD JONES  
RICK LILLY  
PAUL NOVAK

BY COUNCILMEMBER BEAL

THAT THE REPORT OF THE COMMITTEE BE RECEIVED.

CARRIED UNANIMOUSLY

### CITY OFFICER & BOARD REPORTS

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTER FROM EDC MANAGER, PATRICIA COOK SUBMITTING APPLICATION FOR AN INDUSTRIAL DEVELOPMENT DISTRICT FROM JOHN D. PETTINGER FOR CAMERON TOOL CORPORATION AT 1818 BASSETT AVE.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. LETTERS FROM THE MAYOR RE:

A. LETTER OF APPRECIATION FROM ADVENT HOUSE MINISTRIES TO THE FIRE DEPARTMENT

RECEIVED AND PLACED ON FILE

B. ORDINANCE AMENDING CHAPTER 292, SECTION 292.28, PROVIDING THAT SURVIVING SPOUSE BENEFITS CONTINUE AFTER THE REMARRIAGE OF THE SURVIVING SPOUSE

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

C. TRANSFER OF FUNDS; PLANNING & NEIGHBORHOOD DEVELOPMENT, FINANCE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. LATE ITEM FROM COUNCILMEMBER LEEMAN; A LETTER FROM MAYOR HOLLISTER SUBMITTING A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF INTENT TO



BOND FOR THE CSO PROJECT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. LATE ITEM FROM COUNCILMEMBER LEEMAN; A RESOLUTION FOR TRANSFER OF FUNDS FOR THE PARKS & RECREATION DEPT. - FOSTER COMMUNITY CENTER

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

### COMMUNICATIONS & PETITIONS

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM MEDIA ONE ANNOUNCING PRICE INCREASES

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

2. LETTER FROM THE LANSING REGIONAL CHAMBER OF COMMERCE STATING OBJECTIONS TO THE PROPOSED AMENDMENT TO THE SIGN CODE BILLBOARD PROVISIONS

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. LETTER FROM THE TRI-COUNTY REGIONAL PLANNING COMMISSION REQUESTING REAPPOINTMENT TO THEIR BOARD TO FILL THE VACANCIES CREATED BY THE EXPIRATION OF TERMS FILLED BY COUNCILMEMBERS BAUER, BENAVIDES AND LEEMAN ON DECEMBER 31, 1997

REFERRED TO THE COMMITTEE OF THE WHOLE

4. LETTERS FROM CHRISTINE TIMMON RE: THE HOUSING CODE AMENDMENT AND THE PROBLEMS FACING THE FOURTH WARD COUNCILMEMBER ELECT

RECEIVED AND PLACED ON FILE

5. LETTER FROM HELEN FISER OF 12100 S. CORK RD. IN MORRICE REGARDING THE LATE STORMWATER APPEAL FILED BY WALTER JONES

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. LATE ITEM FROM COUNCILMEMBER ALLEN; A LETTER OF COMPLAINT FROM VIRGINIA AND LEWIS BOZEK REGARDING THEIR REQUEST FOR AN INVESTIGATION OF THE DEATH OF THEIR SON, GARY BOZEK

REFERRED TO THE BOARD OF POLICE COMMISSIONERS AND THE COMMITTEE ON PUBLIC SAFETY

7. LATE ITEM FROM COUNCILMEMBER JONES; A REQUEST FOR FUNDING OF PLAYGROUND EQUIPMENT FROM THE GENESEE NEIGHBORHOOD ASSOCIATION

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

### COUNCILMEMBERS COMMENTS

COUNCILMEMBER BAUER CONGRATULATED HER MOTHER ON THE 18TH ANNIVERSARY OF THE DAY SHE QUIT SMOKING. SHE SAID THAT BOTH THE SILVER BELLS IN THE CITY AND LIGHTED PARADE EVENTS WERE PHENOMENAL. THE PARADE BOASTED 46 VERY IMPRESSIVE ENTRIES. SHE THANKED THE PRINCIPAL SHOPPING DISTRICT AND ALL VOLUNTEERS WHO WORKED ON THESE EVENTS. SHE NOTED THAT LAST WEEK WAS HOMELESS AWARENESS WEEK. SHE THANKED THE STAFF AND VOLUNTEERS IN THE CITY WHO PROVIDE SHELTER TO HOMELESS PERSONS. SHE WISHED "HAPPY HOLIDAYS" TO EVERYONE AND SUGGESTED THAT EVERYONE GIVE THANKS FOR THE THINGS FOR WHICH THEY ARE THANKFUL. SHE THANKED THE VOTERS OF LANSING FOR ALLOWING HER TO SERVE ON CITY COUNCIL AND REPRESENT THEM.

COUNCILMEMBER LEEMAN WISHED A "HAPPY 94TH BIRTHDAY" TO BEA VINCENT, WHOSE BIRTHDAY WAS LAST SATURDAY.

COUNCILMEMBER BEAL WISHED "HAPPY THANKSGIVING" TO HER COLLEAGUES AND TO LANSING RESIDENTS.

### MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

MR. WIENER THANKED AND CONGRATULATED EVERYONE WHO PARTICIPATED IN SILVER BELLS IN THE CITY AND MADE IT SUCH A SUCCESSFUL EVENT. HE SENT A SPECIAL "THANKS" TO LIZA ESTLUND OLSON OF THE MAYOR'S OFFICE WHO WORKS SO HARD TO MAKE THESE THINGS HAPPEN. HE ANNOUNCED THAT THE BUTTONS FOR "FESTEVE" ARE ON SALE, AND THE POTTER PARK "WONDERLAND OF LIGHTS" EVENT OPENS THIS WEEK.

**ADJOURNED 10:00 P.M.**  
**MARILYNN SLADE, CITY CLERK**





LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF DECEMBER 1, 1997**

CITY  
LANSING, MICHIGAN

COUNCIL CHAMBERS

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, LEEMAN, LILLY, NOVAK

ABSENT: COUNCILMEMBER JONES

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER ALLEN

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF NOVEMBER 17, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER LILLY

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER LILLY; A RESOLUTION SETTING A PUBLIC HEARING FOR JANUARY 12, 1998 IN CONSIDERATION OF AN INDUSTRIAL DEVELOPMENT DISTRICT FOR CAMERON TOOL CORPORATION AT 1818 BASSETT AVE.

2. FROM COUNCILMEMBER LILLY; A REQUEST THAT ITEM VIII B-18 B, RESOLUTION APPROVING THE SALE OF PROPERTY IN THE 300 BLOCK OF S. BUTLER, BE PULLED FROM THE AGENDA

3. FROM COUNCILMEMBER LEEMAN; A RESOLUTION APPROVING INSTALLMENT PURCHASE FINANCING OF FIRE DEPARTMENT COMMUNICATIONS EQUIPMENT AND EMERGENCY GENERATORS

4. FROM COUNCILMEMBER LEEMAN; A RESOLUTION APPROVING A NOTICE OF INTENT TO ENTER INTO BUILDING AUTHORITY CONTRACT FOR PUBLIC SAFETY FACILITIES

5. FROM COUNCILMEMBER LEEMAN; A RESOLUTION APPROVING A TRANSFER OF FUNDS FOR THE FIRE DEPARTMENT

6. FROM COUNCILMEMBER ALLEN; A LETTER FROM HELEN AND DICK FISER REGARDING THEIR STORM WATER ENTERPRISE FUND FEES FOR 1995 BEING PLACED ON THEIR PROPERTY TAX BILL

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER LILLY ANNOUNCED THAT THE COMMITTEE ON DEVELOPMENT AND PLANNING WILL MEET TOMORROW AT 3:00 P.M. WHERE THEY WILL TAKE UP SEVERAL REZONING ISSUES. THEY PLAN TO CLEAR THEIR CALENDAR FOR THE REST OF THE YEAR, INCLUDING THE N. PINE ST. REZONING. THE FOLLOWING TUESDAY, THEY WILL TAKE UP THE BILLBOARD ORDINANCE PROPOSED BY COUNCILMEMBER NOVAK FOR DISCUSSION.

COUNCILMEMBER ALLEN ANNOUNCED THAT THE PUBLIC SAFETY COMMITTEE WILL MEET TOMORROW AT 2:00 P.M., AT WHICH TIME THEY WILL DISCUSS THE ISSUE OF THE CHIEF INVESTIGATOR'S POSITION.

MR. WIENER MADE AN ANNOUNCEMENT TO THE PUBLIC ON BEHALF OF THE CITY OF LANSING TREASURER'S OFFICE REGARDING PROPERTY TAX BILLINGS THAT MAY HAVE BEEN SENT TO HOME OWNERS IN ERROR. SOME OF THE PROPERTY TAX BILLS THAT WERE MAILED TO HOME OWNERS SHOULD HAVE BEEN SENT TO MORTGAGE COMPANIES. HE READ THE FOLLOWING LETTER FROM THE CITY TREASURER, APOLOGIZING FOR ANY INCONVENIENCE, OR MISUNDERSTANDING THAT MAY ARISE FROM THIS ERROR. ANYONE WITH QUESTIONS REGARDING THIS MATTER MAY CALL 483-4121.

"EARLIER THIS WEEK, YOU RECEIVED A PROPERTY TAX BILLING FROM THE CITY OF LANSING. THE BILL WAS PRINTED ON BLUE PAPER AND WAS NOTED AS 'PROPERTY TAX STATEMENT - DECEMBER 1997 REAL.' THIS BILLING WAS SENT TO YOU BY MISTAKE. IT SHOULD HAVE BEEN SENT TO YOUR MORTGAGE COMPANY THAT PAYS THE BILL ON YOUR BEHALF. WE HAVE SUBSEQUENTLY SENT A COPY OF THE BILLING TO THE MORTGAGE COMPANY.

YOUR MORTGAGE COMPANY HAS REQUESTED THAT WE ADVISE YOU TO DISREGARD THIS BILL. YOU DO NOT NEED TO FORWARD IT TO YOUR MORTGAGE COMPANY. YOUR MORTGAGE COMPANY IS AWARE OF THE AMOUNT THEY NEED TO PAY ON YOUR BEHALF.

THE CITY OF LANSING SINCERELY APOLOGIZES FOR ANY INCONVENIENCE THIS MAY HAVE CAUSED. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL THE CITY TREASURER'S OFFICE AT 483-4121."

► SPECIAL CEREMONIES

THERE WERE NO SPECIAL CEREMONIES

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

THERE WERE NO SCHEDULED PUBLIC HEARINGS

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

WILLY WILLIAMS OF 505 W. LENAWEE ASKED WHY Z-21-97 IS BEING DENIED.

**LEGISLATIVE MATTERS  
RESOLUTIONS**

RESOLUTION #661

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, Z-17-97, THE REQUEST BY REJINALDO GALLEGOS TO REZONE PROPERTY AT 1060 N. CEDAR FROM "C" RESIDENTIAL TO "H" LIGHT INDUSTRIAL-DISTRICT WAS REFERRED TO THE PLANNING AND DEVELOPMENT COMMITTEE TO REVIEW; AND

WHEREAS, THE LANSING PLANNING BOARD AT ITS MEETING ON SEPTEMBER 16, 1997 VOTED UNANIMOUSLY (8-0) TO RECOMMEND A DENIAL OF Z-17-97 BECAUSE THE PROPOSED REZONING IS INCONSISTENT WITH THE NORTHEAST AREA COMPREHENSIVE PLAN; AND

WHEREAS, THE DEVELOPMENT AND PLANNING COMMITTEE



REVIEWED THE REQUEST AND THE RECOMMENDATION OF THE LANSING PLANNING BOARD; AND

NOW, THEREFORE, BE IT RESOLVED THE DEVELOPMENT AND PLANNING COMMITTEE OF THE LANSING CITY COUNCIL HEREBY DENIES Z-17-97, THE REQUEST BY REJINALDO GALLEGOS TO REZONE PROPERTY AT 1060 N. CEDAR FROM "C" RESIDENTIAL TO "H" LIGHT INDUSTRIAL DISTRICT

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

THIS RESOLUTION WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
SALE OF PROPERTY,  
300 BLOCK SOUTH BUTLER STREET

WHEREAS, PURSUANT TO THE SEVEN BLOCK DEVELOPMENT PLAN THE CITY HAS ACQUIRED PROPERTY IN THE 300 BLOCK OF SOUTH BUTLER STREET FOR THE PURPOSE OF REDEVELOPING THE AREA FOR OFFICE OR RESIDENTIAL USE; AND

WHEREAS, A PROPOSAL HAS BEEN MADE BY THE COALITION FOR HOUSING PRESERVATION, L.L.C., A FOR-PROFIT DEVELOPER, TO PURCHASE A PARCEL OF PROPERTY IN THE BLOCK FACE APPROXIMATELY 18,942 SQUARE FEET IN SIZE FOR THE SUM OF \$13,000.00 FOR THE PURPOSE OF MOVING TWO (2) STRUCTURES WITH HISTORIC SIGNIFICANCE TO THE SITE FOR RENOVATION AND PRESERVATION AS THREE (3) UNIT MULTIPLE RESIDENTIAL RENTALS;

AND

WHEREAS, AFTER REVIEW AND CONSIDERATION, THE CITY COUNCIL CONCURS WITH RECOMMENDATION OF THE ADMINISTRATION TO SUPPORT THE SALE AND PROPOSAL SUBJECT TO CERTAIN CONDITIONS;

NOW, THEREFORE, BE IT RESOLVED THAT THE LANSING CITY COUNCIL AUTHORIZE THE SALE OF A PARCEL OF PROPERTY LOCATED IN THE 300 BLOCK OF SOUTH BUTLER STREET LEGALLY DESCRIBED AS:

LOTS 1 AND 2 AND THE NORTH 32 FEET OF LOT 3, BLOCK 10, BUSH, BUTLER AND SPARROW'S ADDITION TO THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF AS RECORDED IN LIBER 51 OF DEEDS, PAGE 392, -

TO THE COALITION FOR HOUSING PRESERVATION L. L.C. FOR THE SUM OF THIRTEEN THOUSAND AND NO/L 00 DOLLARS (\$13,000.00) PLUS ALL CLOSING COST ASSOCIATED WITH THE TRANSACTION.

BE IT FURTHER RESOLVED, THAT THE PROPERTY BE SOLD UNDER THE CONDITION THAT SALE BE TIED DIRECTLY TO THE SPECIFIC PROPOSAL TO RELOCATE AND RESTORE TWO HISTORICALLY SIGNIFICANT STRUCTURES ON THE SITE, WITH THE POSSIBILITY OF REVERTER BACK TO THE CITY SHOULD THE PROJECT NOT BE IMPLEMENTED AS PROPOSED WITHIN ONE (1) YEAR OF THE SIGNING OF THE PURCHASE AGREEMENT BY THE DEVELOPER AND CITY.

BE IT FURTHER RESOLVED THAT ALL PROCEEDS FROM THE SALE OF THE PROPERTY SHALL BE RETURNED TO THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

BE IT FINALLY RESOLVED THAT THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE AFORESTATED SALE, SUBJECT TO

PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

NO VOTE WAS TAKEN, THIS ITEM WAS PULLED BY COUNCILMEMBER LILLY

RESOLUTION #662  
BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY COUNCIL OF THE CITY OF LANSING HAS RECEIVED AN APPLICATION FROM CAMERON TOOL CORPORATION TO ESTABLISH A LANSING INDUSTRIAL DEVELOPMENT DISTRICT (IPR-2-97), PURSUANT TO PUBLIC ACT 198, OF 1974, AS AMENDED, ON PROPERTY LOCATED AT 1818 BASSETT AVENUE, MORE FULLY DESCRIBED AS FOLLOWS:

THE NORTH 132 FEET OF LOTS 27 AND 28, AND THE NORTH 132 FEET OF THE WEST 27.7 FEET OF LOT 29, ASSESSOR'S PLAT NO. 11 ON THE NORTHWEST 1/4 OF SECTION 8, TOWN 4 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN;

EXCEPT THAT PART OF LOTS 27, 28 AND 29, ASSESSOR'S PLAT NO. 11, DESCRIBED AS: BEGINNING ON THE NORTH LOT LINE 9.3 FEET WEST OF THE NORTHEAST CORNER OF LOT 29; THENCE SOUTH PARALLEL WITH THE EAST LOT LINE 14.66 FEET; THENCE SOUTH 8904911511 WEST 80.99 FEET; THENCE NORTH 0001011511 WEST 14.91 FEET TO THE NORTH LINE OF LOT 27; THENCE EAST 81.04 FEET TO THE POINT OF BEGINNING.

PARTS OF LOTS 31, 33 AND 34, ASSESSOR'S PLAT NO. 11, BEING PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWN 4 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 31; THENCE EAST 125 FEET ON THE SOUTH LINE OF LOT 31; THENCE NORTH 197.64 FEET TO THE SOUTH LINE OF LOT 34; THENCE NORTH 8905713011 EAST ON SAID LOT LINE 169.65 FEET; THENCE NORTH 66 FEET TO THE NORTH LINE OF LOT 34; THENCE SOUTH 8905713011 WEST ON SAID LOT LINE 283.88 FEET TO THE EASTERLY LINE OF THE LANSING MANUFACTURER'S RAILROAD; THENCE SOUTHERLY 164.06 FEET ALONG THE RAILROAD ON A 1248.57 FOOT RADIUS CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 703114611 AND WHOSE CHORD BEARS SOUTH 03'45"15311 WEST 163.96 FEET TO A POINT OF TANGENCY; THENCE SOUTH 99.95 FEET ALONG THE RAILROAD TO THE POINT OF BEGINNING.

WHEREAS, PRIOR TO ACTING ON THIS REQUEST IT IS NECESSARY TO HOLD A PUBLIC HEARING ON THE PROPOSED ESTABLISHMENT OF A LANSING INDUSTRIAL DEVELOPMENT DISTRICT (IPR-2-97), TO ALLOW FOR ANY RESIDENT OR TAXPAYER TO HAVE A RIGHT TO APPEAR AND BE HEARD; AND

NOW, THEREFORE, BE IT RESOLVED THAT SUCH A HEARING BE HELD IN THE CITY COUNCIL CHAMBERS OF THE CITY OF LANSING, 10TH FLOOR, LANSING CITY HALL, LANSING, MICHIGAN, ON THE 12 TH DAY OF JANUARY, 1998 AT 7:00 P.M., AND THAT NOTICE OF SUCH HEARING BE PUBLISHED IN A PUBLICATION OF GENERAL CIRCULATION AND THAT THE CITY CLERK BE REQUESTED TO GIVE AT LEAST TEN (10) DAYS NOTICE OF A PUBLIC HEARING WHEN ALL PERSONS INTERESTED MAY ATTEND AND MAKE OBJECTIONS THEY MAY HAVE TO THE PROPOSED DISTRICT, AND THAT THE CITY CLERK ALSO BE REQUESTED TO NOTIFY THE OWNERS OF REAL PROPERTY WITHIN THE PROPOSED DISTRICT OF THIS APPLICATION AND THE SCHEDULED PUBLIC HEARING.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES



BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN IT'S ENTIRETY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-21-97, 5030 S. CEDAR ST., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-21-97, 5030 S. CEDAR ST. Z-16-97; 113 PERE MARQUETTE, BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

#### ORDINANCE #2417

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-21-97, 5030 S. CEDAR ST.

PARCEL NUMBERS: PPN 3301-33-452-032

LEGAL DESCRIPTION:

THE WEST 25 FT OF THE PROPERTY COM 1113.25 FT E & 38 FT N OF S; 1 POST SEC 33, TH E 140 FT TO ITS INTN WITH W R/W CEDAR ST & 43 FT FROM CL THEREOF, N LY 162.9 FT ALONG SAID R/W LINE W LY 140 FT PARL WITH S LINE, S LY 162.9 FT TO BEG; SEC 33 T4N R2W, CITY OF LANSING, INGHAM CTY, MICHIGAN

FROM "J" PARKING DISTRICT TO "F" COMMERCIAL DISTRICT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

### OTHER BUSINESS

#### ► PUBLIC COMMENT ON CITY RELATED MATTERS

FRANK CURTIS "X", NO ADDRESS GIVEN, SPOKE REGARDING THE DEATH OF FORMER DETROIT MAYOR COLEMAN YOUNG.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE ASKED FOR A NEW TAX STATEMENT. THE 1995 STORMWATER BILLING THAT SHE AND HER HUSBAND ARE CURRENTLY APPEALING HAS BEEN PLACED ON THIS TAX BILL. SHE REQUESTED THAT CITY ATTORNEY SMIERTKA SEND HER ANOTHER REPLY TO HER FOIA REQUEST. SHE DEMANDS TO KNOW HOW SHE IS BEING SERVED BY THE SYSTEM.

TED DELEON, SR. OF 1039 N. CEDAR ST. ASKED FOR SERIOUS CONSIDERATION AND APPROVAL OF HIS REQUEST THAT HE BE HONORED BY HAVING A STREET RE-NAMED AFTER HIM. HE HAS MADE MANY CONTRIBUTIONS TO THE HISPANIC COMMUNITY AND TO LCC. THERE IS NOT ONE SINGLE STREET IN LANSING THAT HAS BEEN NAMED IN MEMORY OF AN HISPANIC MAN. IT IS TIME TO GET ONE. HE HAS AN IMPECCABLE RECORD, AND WOULD ALSO LIKE A DAY OF RECOGNITION FROM MAYOR HOLLISTER AND CITY COUNCIL.

THIS REQUEST WAS REFERRED TO MAYOR HOLLISTER AND THE MEMORIAL REVIEW BOARD

WILLY WILLIAMS OF 505 W. LENAWEE SPOKE REGARDING THE 70/30% CONCEPT HE BROUGHT TO THE ATTENTION OF CITY COUNCIL. HE THANKED COUNCILMEMBER NOVAK FOR THE TIME HE HAS GIVEN TO THE CITY COUNCIL AND COMMENDED HIM FOR THE GREAT JOB HE DID. HIS LEGAL EXPERTISE WAS INVALUABLE. HE DID NOT VOTE FOR HIM AT THE TIME HE WAS ELECTED, BECAUSE HE DID NOT KNOW WHO HE WAS, BUT HE WOULD VOTE FOR HIM NOW.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SPOKE REGARDING THE DEATH OF FORMER DETROIT MAYOR COLEMAN YOUNG.

HAROLD KING OF 1563 N. HIGH ST. NOTED THAT TODAY IS WORLD AIDS RECOGNITION DAY, AND ASKED ABOUT THE REPROGRAMMING OF CDBG FUNDS. THESE FUNDS WILL BE SPLIT BETWEEN PARKS AND STREETS, BUT THERE IS NO INFORMATION AVAILABLE AS TO HOW THE SPLIT WILL WORK OUT. HE STATED THAT NORTH TOWN DOES NOT NEED ANY MORE BARS BUILT THERE. HE OPPOSES ANY PLANS OF THIS TYPE.

CLYDE SMITH OF 2244 TECUMSEH RIVER DR. ASKED PRESIDENT BEAL TO ALLOW MR. TEETS TO SPEAK, EVEN THOUGH HE IS NOT ON THE SIGN IN SHEET. HE DID NOT HAVE TIME TO SIGN THE SHEET BEFORE PUBLIC COMMENT STARTED. HE SPOKE REGARDING GENERAL MOTORS AND THEIR NEED TO DECLARE THEIR FACTORIES "SMOKE FREE WORK PLACES." LANSING NEEDS SMOKE FREE RESTAURANTS TOO.

LLOYD TEETS OF 116 E. ELM ST. NOTED THAT TODAY IS THE ANNIVERSARY OF THE DAY THAT ROSA PARKS REFUSED TO "MOVE TO THE BACK OF THE BUS" IN MONTGOMERY, ALABAMA. SHE CAN BE SAID TO HAVE STARTED THE CIVIL RIGHTS MOVEMENT, EVEN THOUGH COMPREHENSIVE CIVIL RIGHTS WERE NOT ENACTED UNTIL 13 YEARS LATER. THIS IS WHY HE IS NOT DISHEARTENED BY THE FAILURE OF THE CITIZENS REVIEW BOARD BALLOT PROPOSAL. HE IS CONFIDENT THAT THEY WILL GET THIS MEASURE PASSED IN THE FUTURE. HE SAID THAT THE BILLBOARD ORDINANCE AMENDMENT INTRODUCED BY COUNCILMEMBER NOVAK IS BASICALLY A MORATORIUM ON BILLBOARDS. HE IS OPPOSED TO THE ORDINANCE IN IT'S CURRENT FORM. HE OPPOSES AN OVER PROLIFERATION OF BILLBOARDS, BUT THIS ORDINANCE IS NOT THE ANSWER TO THAT PROBLEM.

### COMMITTEE REPORTS

RESOLUTION #663  
REPORT OF COMMITTEE



THE DEVELOPMENT AND PLANNING COMMITTEE, TO WHOM WAS REFERRED Z-21-97, THE REQUEST FROM SEMMLER CORPORATION, REPRESENTING THE OWNERS OF FINANCIAL ADVISORS & JAR, TO REZONE A 25, WIDE PORTION OF THE PROPERTY LOCATED AT 5030 S. CEDAR STREET FROM "J" PARKING DISTRICT TO "IF" COMMERCIAL DISTRICT.

THE COMMITTEE REVIEWED THE REQUEST AND THE RECOMMENDATION OF THE LANSING PLANNING BOARD.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT Z-21-97, THE REQUEST FROM SEMMLER CORPORATION, REPRESENTING THE OWNERS OF FINANCIAL ADVISORS & JAR, TO REZONE A 25, WIDE PORTION OF THE PROPERTY LOCATED AT 5030 S. CEDAR STREET FROM "J" PARKING DISTRICT TO "F" COMMERCIAL DISTRICT, BE APPROVED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE ADOPTED.

CARRIED UNANIMOUSLY

#### **CITY OFFICER & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTER FROM THE CITY ATTORNEY RE: CHERI BARBER V CITY OF LANSING

RECEIVED AND PLACED ON FILE

3. LETTER FROM THE LANSING CENTER SUBMITTING FINANCIAL STATEMENTS FOR THE ENTITIES MANAGED BY LEPFA FOR QUARTER ENDED SEPTEMBER 30, 1997

REFERRED TO THE INTERNAL AUDITOR

4. LETTERS FROM THE MAYOR RE:

A. TRANSFER OF FUNDS: LFD, LPD, FINANCE DEPT.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. CONTRIBUTION FROM AARP (AMERICAN ASSOCIATION OF RETIRED PERSONS) TO THE RICHARD AND OLIVIA LETTS COMMUNITY CENTER

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS 21ST AND 22ND YEAR, AND REPROGRAMMING OF 1996 EMERGENCY SHELTER GRANT FUNDS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. LETTER OF APPRECIATION FROM DOUGLAS G. WAHL FOR THE ERECTION OF THE TRAFFIC BARRIER ON JEROME ST.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

E. RESIGNATION OF JOHN R. HERNANDEZ FROM THE HUMAN RELATIONS AND COMMUNITY SERVICES BOARD

RECEIVED AND PLACED ON FILE

F. LETTER OF APPRECIATION FROM INGHAM COUNTY SHERIFF,

GENE WRIGGLESWORTH TO OFFICERS OF THE LPD

RECEIVED AND PLACED ON FILE

G. LATE ITEM FROM COUNCILMEMBER LEEMAN; A LETTER FROM MAYOR HOLLISTER SUBMITTING A RESOLUTION APPROVING INSTALLMENT PURCHASE FINANCING OF FIRE DEPARTMENT COMMUNICATIONS EQUIPMENT AND EMERGENCY GENERATORS

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

H. LATE ITEM FROM COUNCILMEMBER LEEMAN; A LETTER FROM MAYOR HOLLISTER SUBMITTING A RESOLUTION APPROVING A NOTICE OF INTENT TO ENTER INTO BUILDING AUTHORITY CONTRACT FOR PUBLIC SAFETY FACILITIES

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

I. LATE ITEM FROM COUNCILMEMBER LEEMAN; A LETTER FROM MAYOR HOLLISTER SUBMITTING A RESOLUTION APPROVING A TRANSFER OF FUNDS FOR THE FIRE DEPARTMENT

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

#### **COMMUNICATIONS & PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM THE EATON COUNTY CONTROLLER SUBMITTING A COPY OF THEIR FULL FAITH AND CREDIT POLICY IN CONNECTION WITH THE ISSUANCE OF COUNTY BONDS

REFERRED TO THE MAYOR

2. STORMWATER APPEAL MILL POND CO., L.L.C.

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE DEPARTMENT

3. LETTER OF COMPLAINT FROM LARRY K. WINEGAR OF 6487 GREEN RD., HASLETT MI, REGARDING A PARKING TICKET HE RECEIVED DURING A RECENT EXCURSION INTO DOWNTOWN LANSING

REFERRED TO THE MAYOR

4. LETTER FROM CAPITOL CADILLAC OF 5901 S. PENNSYLVANIA STATING THEIR CONCERNS REGARDING THE PROPOSED BILLBOARD AMENDMENT TO THE SIGN CODE ORDINANCE

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

5. LETTER FROM THE HISPANIC CULTURAL CENTER OF P.O. BOX 14344 REQUESTING INFORMATION ABOUT THE RESULTS OF THE WAYS AND MEANS COMMITTEE HELD TO CONSIDER THE EXCLUSION OF THEIR FOOD VENDORS FROM THE CAPITAL CITY RIVERFEST

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6. LETTER FROM THE WARREN FOUNDATION LEGAL CLINIC SUGGESTING THE RE-NAMING OF A CITY STREET COMMEMORATING TED DELEON, SR.

REFERRED TO THE MAYOR AND THE MEMORIAL REVIEW BOARD

7. LETTER FROM EUGENE T. BUCKLEY OF P.O. BOX 1851 E. LANSING REQUESTING AN INVESTIGATION INTO THE PASSAGE OF TCO-93-007



REFERRED TO THE MAYOR AND THE PUBLIC SAFETY COMMITTEE

8. LATE ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM HELEN AND DICK FISER REGARDING THEIR STORM WATER ENTERPRISE FUND FEES FOR 1995 BEING PLACED ON THEIR PROPERTY TAX BILL

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

#### **MOTION OF EXCUSED ABSENCE**

BY COUNCILMEMBER BEAL

TO EXCUSE COUNCILMEMBER JONES FROM TONIGHT'S PROCEEDINGS

CARRIED UNANIMOUSLY

#### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BENAVIDES ASKED COUNCILMEMBER LILLY IF MR. GALLEGOS WAS PRESENT WHEN THE COMMITTEE VOTED TO DENY HIS REZONING PETITION. COUNCILMEMBER LILLY RESPONDED IN THE NEGATIVE. COUNCILMEMBER BENAVIDES ASKED WHAT THE ADMINISTRATION IS WILLING TO DO FOR MR. GALLEGOS TO GIVE HIM TIME TO MAKE ALTERNATE ARRANGEMENTS FOR PARKING HIS TRUCKS. HE QUESTIONED WHETHER MR. GALLEGOS HAD RECEIVED JUSTICE IN THIS SITUATION. MR. GALLEGOS DID NOT KNOW THAT HIS PETITION WAS GOING TO BE DENIED. HE DID NOT APPEAR AT THE COMMITTEE MEETING AND DID NOT APPEAR AT THE PUBLIC HEARING. HE WILL NEED A TRANSITION PERIOD WITHIN WHICH TO MAKE ALTERNATIVE PLANS.

COUNCILMEMBER LILLY SAID THAT MRS. LOVE HAS EXPLAINED MANY ALTERNATIVES TO MR. GALLEGOS AS TO WHERE HE COULD HAVE BEEN PARKING HIS TRUCK AND TRYING TO FIND ACCOMMODATIONS FOR HIM. THE ADMINISTRATION HAS BEEN TRYING TO WORK WITH HIM ALL ALONG. HE STATED HIS WILLINGNESS TO ASK THE ADMINISTRATION TO WRITE A LETTER TO CITY COUNCIL INFORMING THEM OF WHAT ARRANGEMENTS HAD BEEN MADE FOR MR. GALLEGOS. HE ASKED MR. WIENER TO SEE THAT A LETTER IS WRITTEN BACK TO COUNCIL WITHIN 10 DAYS NOTIFYING THEM OF ACTIONS THE ADMINISTRATION HAS TAKEN WITH REGARD TO THIS MATTER. THIS WOULD ALLOW THE COUNCIL TO RECONSIDER THIS ACTION BY THE DECEMBER 15, 1997 CUT-OFF DATE.

COUNCILMEMBER LEEMAN ANNOUNCED THE ENO CHRISTMAS PARTY THIS WEDNESDAY AT SPARROW HOSPITAL IN THE BASEMENT COMPLEX OF THEIR NEW BUILDING. THE NORTH LANSING COMMUNITY ASSOCIATION IS HAVING THEIR HOLIDAY PARTY AT 6:00 P.M. THIS SUNDAY AT THEIR NEW BUILDING. WITH REGARD TO THE CDBG REPROGRAMMING OF FUNDS; THE CLASSIC CAT PROPERTY HAS BEEN SCHEDULED FOR DEVELOPMENT AS A PLAYGROUND, NOT A PARKING LOT. THIS IS THE UNDERSTANDING OF THE COMMUNITY ASSOCIATION. IF THERE ARE CHANGES TO THOSE PLANS, THEY SHOULD BE DISCUSSED WITH THE COMMUNITY ASSOCIATION.

#### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER SAID THAT LANSING, ALONG WITH GRAND RAPIDS, JACKSON, GRAND HAVEN AND OTHER CITIES THAT ARE SITUATED ON THE GRAND RIVER HAVE APPLIED FOR RECOGNITION OF THE GRAND RIVER AS A HERITAGE RIVER.

HE ACKNOWLEDGED ROBERT BENNETT AND THE WALNUT NEIGHBORHOOD ORGANIZATION FOR APPLYING FOR AND SECURING A KFC GRANT IN THE AMOUNT OF \$1,000 FOR THE NORTHSIDE NETWORK CENTER. THEY WILL BE ACCEPTING THEIR GRANT AT A RECOGNITION DINNER NEXT WEDNESDAY.

**ADJOURNED 8:00 P.M.  
MARILYNN SLADE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF DECEMBER 8, 1997**

CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN REGULAR SESSION AND WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE LED BY COUNCILMEMBER BENAVIDES

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER BENAVIDES

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF THE RULES:

1. FROM COUNCILMEMBER BENAVIDES; A RESOLUTION REGARDING THE DEFERRED COMPENSATION PROGRAM
2. FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THE LAW FIRM OF BROOKOVER & FLEISCHMAN STATING THEIR OPPOSITION TO Z-14-97..
3. FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR COMMUNITY PROMOTIONS FUNDS FOR A CHRISTMAS SYMPOSIUM BY THE CAPITOL AREA HISPANIC COMMUNITY
4. FROM COUNCILMEMBER LILLY; A REQUEST THAT THE ORDER OF THE AGENDA BE REARRANGED TO ALLOW FOR THE COMMITTEE REPORTS TO BE TAKEN UP DIRECTLY FOLLOWING THE PASSAGE OF ORDINANCES
5. FROM COUNCILMEMBER JONES; A REQUEST THAT THE TRANSFER OF FUNDS TO 911 BE PULLED AND REFERRED TO THE COMMITTEE OF THE WHOLE
6. FROM COUNCILMEMBER JONES; A RESOLUTION REGARDING THE NOTICE OF INTENT TO BOND FOR THE PUBLIC SAFETY PROJECT STATING THE INTENT TO UTILIZE ACT 99 FINANCING

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT PART OF THE REGULAR MEETING TO WHICH THEY RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER JONES ANNOUNCED THE RETIREMENT OF JAKE, THE CITY'S PAINTER, WHO IS RETIRING THIS FRIDAY.

MAYOR HOLLISTER ANNOUNCED THAT FLOODING OF THE OLDSMOBILE PARK INFIELD HAS BEGUN. THE STADIUM WILL BE OPEN FOR ICE SKATING BEGINNING DECEMBER 26, 1997. HE ANNOUNCED THAT THE CITIES OF LANSING AND E. LANSING ARE CO-SPONSORING THE "FESTEVE" ALCOHOL FREE NEW YEAR'S EVE CELEBRATION AGAIN THIS YEAR. THE EMPHASIS IS ON YOUTH ACTIVITIES. HE URGED EVERYONE TO VISIT THE "WONDERLAND OF LIGHTS" AT POTTER PARK ZOO. THEY HAVE HAD 7,654 VISITORS ALREADY THIS YEAR. THIS LUMINARY WILL BE OPEN THROUGH JANUARY 1, 1998. ALSO, TAKING PLACE ON JANUARY 1, 1998, WILL BE THE INAUGURATION CEREMONY FOR THE MAYOR, CITY CLERK, AND COUNCILMEMBERS ELECT, ADADO, ALLEN, MEYERS AND MURPHY.

► SPECIAL CEREMONIES

A. COUNCILMEMBER LEEMAN PRESENTED A RESOLUTION OF TRIBUTE TO CHARLES DEMASO IN RECOGNITION OF HIS "THOUSANDS OF HOURS OF VOLUNTEER WORK IN LANSING."

B. MAYOR HOLLISTER ACCEPTED AN AWARD FOR EXCELLENCE IN FINANCIAL REPORTING ON BEHALF OF THE FINANCE DEPARTMENT FROM LARRY GORDIER OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION OF THE UNITED STATES AND CANADA.

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC HEARINGS:

1. IN CONSIDERATION OF Z-20-97, 1110 W. ALLEGAN ST., PETITION FOR REZONING FROM "F" COMMERCIAL TO "C" RESIDENTIAL DISTRICTS FILED BY ALMUS THROPE ON BEHALF OF THE GREATER LANSING HOUSING COALITION TO ALLOW FOR THE REHABILITATION AND SUBSEQUENT SALE OF THE HOME FOR OWNER OCCUPANCY

CAROL WOOD OF 1018 W. LAPEER, SPEAKING ON BEHALF OF THE GENESEE NEIGHBORHOOD ORGANIZATION STATED HER SUPPORT OF THIS PETITION.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. IN CONSIDERATION OF Z-22-97; VACANT PROPERTY IN THE 1100 BLOCK OF E. MILLER RD. (S. SIDE) FROM "A" RESIDENTIAL TO "G-2" WHOLESALE DISTRICTS FILED BY G.E. STURK ON BEHALF OF SNETHKAMP PROPERTIES LLC TO ALLOW FOR EXPANSION OF THEIR STORAGE AND PARKING



## FACILITIES

THERE WERE NO SPEAKERS FOR THIS PUBLIC HEARING

REFERRED TO THE COMMITTEE OF THE WHOLE

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

CAROL WOOD OF 1018 W. LAPEER, ON BEHALF OF THE GENESEE NEIGHBORHOOD ORGANIZATION STATED HER SUPPORT OF Z-14-97...

JENNIE GRAU OF 201 LATHROP STATED HER OPPOSITION TO Z-14-97...

GEORGE BROOKOVER OF 1005 ABBOTT RD. STATED HIS OPPOSITION TO Z-24-97.

GINA NELSON OF 605 W. SHIAWASSEE STATED HER OPPOSITION TO Z-14-97...

PATRICIA DORROW OF 307 N. SYCAMORE STATED HER OPPOSITION TO Z-14-97...

DICK WILKINS OF 309 N. SYCAMORE STATED HIS OPPOSITION TO Z-14-97...

WILLY WILLIAMS OF 505 W. LENAWEE SPOKE IN OPPOSITION TO Z-14-97...

JANE MALORY OF 712 W. IONIA SPOKE IN OPPOSITION TO Z-14-97...

EMILY HORNE OF 110 W. HODGE SPOKE IN OPPOSITION TO Z-14-97...

DARNELL OLDHAM, SR. OF 3815 BERWICK REQUESTED A REFUND OF STORM WATER ENTERPRISE FEES HE HAS PAID.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE DOES NOT SEE WHERE THE CDBG FUNDS HAVE GONE.

SHARON KELLOG OF 421 W. IONIA SPOKE IN OPPOSITION TO Z-14-97...

DAVID MULEY OF 301 RUMSEY SPOKE IN OPPOSITION TO Z-14-97...

STEPHANIE WHITBECK OF 620 W. IONIA SPOKE IN OPPOSITION TO Z-14-97...

LINDA FOSSEY OF 328 N. WALNUT SPOKE IN OPPOSITION TO Z-14-97...

BOB COCHRAN OF 403 N. SYCAMORE SPOKE IN OPPOSITION TO Z-14-97...

CHRISTINE TIMMON OF 335 E. ST. JOSEPH SPOKE IN SUPPORT OF Z-14-97. SHE STATED THAT CDBG FUNDS DO NOT GO TO THE POOR AND HOMELESS, BUT TO HISTORIC PRESERVATIONISTS.

**LEGISLATIVE MATTERS  
RESOLUTIONS**

**RESOLUTION #664**

BY COUNCILMEMBER LEEMAN  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, CHARLES DEMASO AFTER OBTAINING HIS UNDERGRADUATE DEGREE FROM STATE UNIVERSITY OF NEW YORK AT ALBANY, NEW YORK AND HIS MASTERS DEGREE IN HISTORY FROM THE C.W. POST BRANCH OF LONG ISLAND UNIVERSITY, MOVED TO 1110 PLAT STREET, IN RIVERPOINT IN SEPTEMBER OF 1993 TO ATTEND COOLEY LAW SCHOOL; AND

WHEREAS, CHARLES DEMASO IMMEDIATELY BECAME A SUPER ACTIVIST IN THE RIVERPOINT NEIGHBORHOOD ASSOCIATION TO IMPROVE THE QUALITY OF LIFE FOR PERSONS RESIDING IN RIVERPOINT; AND

WHEREAS, CHARLES DEMASO WAS TWICE ELECTED PRESIDENT OF RIVERPOINT AND SOME OF HIS MANY VOLUNTEER ACCOMPLISHMENTS INCLUDE BEING TEAM CAPTAIN OF PAINT BLITZ; PARTICIPATING IN EVERY RIVER CLEAN UP, AND LANSING'S HOUSING FAIR; AND

WHEREAS, CHARLES DEMASO SUBMITTED PROPOSALS AND RECEIVED LANSING NEIGHBORHOOD GRANTS FOR PLANTERS TO BE PLACED ALONG SOUTH WASHINGTON AVENUE IN RIVERPOINT, RIVERPOINT STREET SIGNAGE, TREES PLANTED ALONG SOUTH STREET, AND A BEAUTIFICATION PROJECT FOR THE FOUR PROPERTIES LOCATED AT ELM AND S. GRAND STREETS; AND

WHEREAS, CHARLES DEMASO WAS TWICE A CANDIDATE FOR THE BEA CHRISTY AWARD AND WAS APPOINTED TO MAYOR DAVID HOLLISTER'S NEIGHBORHOOD ADVISORY COUNCIL; AND

NOW THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL ON THIS EIGHTH DAY OF DECEMBER, 1997, HEREBY PAYS TRIBUTE TO CHARLES DEMASO FOR HIS THOUSANDS OF HOURS OF VOLUNTEER SERVICE TO RIVERPOINT AND THE CITY OF LANSING WHILE ATTENDING COOLEY LAW SCHOOL; AND

BE IT FURTHER RESOLVED, THE LANSING CITY COUNCIL WISHES CHARLES DEMASO AND HIS FAMILY GOOD FORTUNE IN THEIR FUTURE ENDEAVORS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #665**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON DECEMBER 4, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF JOYCE HATCH, OF THE AMOUNT



OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No.3301-02-451-321-5; COMMONLY KNOWN AS 2130 KINGSWOOD DRIVE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No.3301-02-451-321-5 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF JOYCE HATCH WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.3301-02451-321-5 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.3301-02451-321-5 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES

**RESOLUTION #666**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON DECEMBER 4, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF MARK LANGSCHWAGER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No.3305-09-127-201-1; COMMONLY KNOWN AS 6212 ROSEDALE, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No.3305-09-127-201-1 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF MARK LANGSCHWAGER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT

A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.3305-09127-201-1 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.3305-09127-201-1 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES

**RESOLUTION #667**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON DECEMBER 4, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF DAVID MCCARDEL, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No.3301-10-226-032-1; COMMONLY KNOWN AS 1903 WOOD STREET, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No.3301-10-226-032-1 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF DAVID MCCARDEL WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.3301-10226-032-1 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.3301-10226-032-1 IS DENIED.

BY COUNCILMEMBER BENAVIDES



ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN,  
LILLY, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES

**RESOLUTION #668**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON DECEMBER 4, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF DAVID MCCARDEL, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO.3301-15-407-081-1; COMMONLY KNOWN AS 1317 EAST KALAMAZOO, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO.3301-15-407-081-1 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF DAVID MCCARDEL WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO.3301-15407-081-1 IS NOT WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS NOT WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO.3301-15407-081-1 IS DENIED.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BAUER, BENAVIDES, LEEMAN,  
LILLY, NOVAK

NAYS: COUNCILMEMBERS ALLEN, BEAL, JONES

**RESOLUTION #669**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON DECEMBER 4, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF BLAKE MILLER, OF THE AMOUNT

OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL NO.3301-31-478-077-6; COMMONLY KNOWN AS 4925 SIDNEY, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL NO.3301-31-478-077-6 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF BLAKE MILLER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO.3301-31478-077-6 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A 25% REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO.3301-31-478-077-6 SHALL BE REDUCED FROM \$120.17 TO \$90.13.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BENAVIDES,  
JONES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS BEAL

**RESOLUTION #670**

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LICENSING AND ENFORCEMENT DIVISION OF THE MICHIGAN LIQUOR CONTROL COMMISSION ORIGINALLY ISSUED A CLASS C LIQUOR LICENSE AND A DANCE PERMIT TO RAMON'S RESTAURANT, INC.; AND

WHEREAS, THE ERNESTO R. FUENTES AND LEONILA J. FUENTES HAVE OBTAINED THE APPROPRIATE SIGNATURES TO TRANSFER OWNERSHIP FROM RAMON H. FUENTES AND MARGARITA R. FUENTES; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES REVIEWED THE EXECUTED FORMS ON DECEMBER 4, 1997; AND

WHEREAS, THE COMMITTEE ON GENERAL SERVICES APPROVED THE TRANSFER OF THE CLASS C LIQUOR LICENSE AND DANCE PERMIT TO ERNESTO R. FUENTES AND LEONILA J.



FUENTES, 1138-40-42-1146 S. WASHINGTON AVENUE, LANSING, MICHIGAN; AND

NOW THEREFORE BE IT RESOLVED, THE LANSING CITY COUNCIL HEREBY CONCURS WITH THE RECOMMENDATION OF THE COMMITTEE ON GENERAL SERVICES TO APPROVE THE TRANSFER OF THIS CLASS C LIQUOR LICENSE AND DANCE PERMIT TO ERNESTO R. FUENTES AND LEONILA J. FUENTES, 1138-40-42-1146 S. WASHINGTON AVENUE, LANSING, MICHIGAN; AND

BE IT FURTHER RESOLVED, THE CITY CLERK IS REQUESTED TO NOTIFY ERNESTO R. FUENTES AND LEONILA J. FUENTES, AFTER APPROVED BY THE CITY COUNCIL.

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #671

BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON DECEMBER 4, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF LAURANCE AND MARIKA HEUER, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No.3301-21-403-016-2; COMMONLY KNOWN AS 119 GARDEN STREET, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No.3301-21-403-016-2 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF LAURANCE AND MARIKA HEUER WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND

WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A CORRECTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.3301-21403-016-2 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A CORRECTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE IS WARRANTED; AND

NOW THEREFORE BE IT RESOLVED, THAT THE APPEAL OF THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL No.3301-21403-016-2 IS \$120.17 PLUS A LATE FEE OF \$10.82 FOR A TOTAL OF \$130.99 .

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

#### RESOLUTION #672

BY THE COMMITTEE ON WAYS AND MEANS  
BY THE CITY COUNCIL OF  
THE CITY OF LANSING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT A PUBLIC HEARING BE SET FOR MONDAY, JANUARY 12, 1998 AT 7:00 P.M. TO OBTAIN PUBLIC COMMENT IN CONSIDERATION OF UNENDING THE CITY'S 1995 AND 1996 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS AND 1996 EMERGENCY SHELTER GRANT PROGRAM.

BY COUNCILMEMBER JONES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

#### RESOLUTION #673

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, COUNCIL RESOLUTION #519 OF NOVEMBER 4, 1996, REQUIRED THE GREATER LANSING AMATEUR HOCKEY ASSOCIATION (GLAHA) "TO DEVELOP AND PRESENT TO THE LANSING CITY COUNCIL BY JULY 1, 1997, A PROGRAM DESIGNED TO PROVIDE OPPORTUNITY FOR PARTICIPATION IN ITS PROGRAM OF YOUTH HOCKEY FOR UP TO TWENTY-FIVE (25) LOWER INCOME YOUTHS RESIDING WITHIN THE CITY OF LANSING. GLAHA SHALL ANNUALLY REPORT AT THE END OF EACH ICE SEASON THE EXTENT OF ITS LANSING RESIDENCY PARTICIPATION."; AND

WHEREAS, THE PARKS AND RECREATION DEPARTMENT PRESENTED THE FOLLOWING SCHOLARSHIP PROPOSAL TO THE WAYS AND MEANS COMMITTEE DECEMBER 3, 1997, TO PROVIDE AN ANNUAL OPPORTUNITY FOR LANSING RESIDENTS TO BE INTRODUCED TO HOCKEY AND ALLOW FOR THEIR CONTINUED INVOLVEMENT IN THE SPORT. THE PROGRAM WILL:

- ▶ 1. IDENTIFY POTENTIAL PARTICIPANTS.
- ▶ 2. INTRODUCE PARTICIPANTS TO HOCKEY IN A SERIES OF STRUCTURED SESSIONS.
- ▶ 3. ALLOW FOR COMPLETION OF THIS "INTRODUCTION PROGRAM" WITH FOUR OR FIVE GAMES IN THE SPRING.
- ▶ 4. PROVIDE THIS PROGRAM AT A FEE OF \$25 WITH SCHOLARSHIP OPPORTUNITIES AVAILABLE THROUGH THE PARKS AND RECREATION SCHOLARSHIP FUND.



- 5. YOUTH IN NEED OF EQUIPMENT WOULD BE PROVIDED EQUIPMENT IF AVAILABLE.
- 6. YOUTH COMPLETING THE INTRODUCTION PROGRAM WOULD BE INCORPORATED INTO THE REGULAR GLAHA PROGRAM THAT BEGINS EACH SEPTEMBER. THIS WOULD ALSO BE A CO-PAY SCHOLARSHIP SYSTEM WITH FUNDING FROM CORPORATE AND PRIVATE DONATIONS.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL ACCEPTS THIS SCHOLARSHIP PROPOSAL IN CONJUNCTION WITH GLAHA; AND

BE IT FURTHER RESOLVED THAT PARTICIPATION IN THE GLAHA IS AN ELIGIBLE USE OF THE SCHOLARSHIP FUND SUBJECT TO THE EXISTING POLICY; AND

BE IT FURTHER RESOLVED THAT THE PARKS AND RECREATION SCHOLARSHIP PROGRAM FUND BE UTILIZED TO REIMBURSE GLAHA UP TO \$25 PER QUALIFIED LANSING PARTICIPANT WHO QUALIFIES FOR A SCHOLARSHIP UNDER THIS PROGRAM; AND

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS AUTHORIZED TO ADMINISTRATIVELY TRANSFER FROM ANTICIPATED REVENUES TO THE SCHOLARSHIP FUND (101-783810-960141-0) THE NECESSARY MONEY TO COVER THE REIMBURSABLE GLAHA EXPENSES.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #674

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE GENESEE NEIGHBORHOOD ASSOCIATION HAS REQUESTED THE CITY'S ASSISTANCE IN ACQUIRING A PERSONAL COMPUTER, AND

WHEREAS, THE INTERNAL AUDITOR HAS INDICATED THAT PC 222 LOCATED IN INTERNAL AUDIT IS OBSOLETE FOR USE BY THAT OFFICE AND SHOULD BE DECLARED SURPLUS, AND

WHEREAS, THIS PERSONAL COMPUTER COULD BE ADAPTED TO MEET THE GENESEE NEIGHBORHOOD ASSOCIATIONS NEED, AND

WHEREAS, THE SECTION 206.130 OF THE CITY CODE (PURCHASING ORDINANCE) PROVIDES THAT UPON RECOMMENDATION OF THE MAYOR AND WITH THE CONCURRENCE OF THE COUNCIL, UNWANTED SUPPLIES MAY BE DISPOSED OF BY MEANS OTHER THAN DIRECT SALE OR AUCTION, PROVIDED THAT THE COUNCIL DETERMINES BY RESOLUTION THAT A PUBLIC PURPOSE WILL BE SERVED BY THE INTENDED USE SAID OF SUCH SUPPLIES, AND

WHEREAS, THE MAYOR RECOMMENDS THAT PC 222 BE GIVEN TO THE GENESEE NEIGHBORHOOD ASSOCIATION, AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT A SUITABLE PUBLIC PURPOSE IS SERVED BY THE INTENDED USE OF THIS MACHINE BY THE GENESEE NEIGHBORHOOD ASSOCIATION.

NOW THEREFORE BE IT RESOLVED THAT PC 222 IS DECLARED OBSOLETE AND SURPLUS FOR CITY PURPOSES AND MAY BE GIVEN TO THE GENESEE NEIGHBORHOOD ASSOCIATION, AND

BE IT FURTHER RESOLVED THAT THE ADMINISTRATION IS REQUESTED TO RECOMMEND POLICY TO THE COUNCIL FOR FUTURE DISPOSITION OF PERSONAL COMPUTER EQUIPMENT TO SUITABLE NEIGHBORHOOD ORGANIZATIONS.

BY COUNCILMEMBER JONES

CARRIED UNANIMOUSLY

#### RESOLUTION #675

BY THE COMMITTEE ON WAYS AND MEANS  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFERS BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$15,506	ESTIMATED REVENUE- GENERAL FUND - 101-0-170001-0	
\$7,648		PND-OPERATING SUPPLIES 101-172620-742000-0
\$7,858		EQUIPMENT 101-172620- 977000-0

(PORTION OF PROCEEDS FROM SALE OF 6551 S. PENNSYLVANIA AVE. FOR PURCHASE OF TWO GIS WORKSTATIONS AND RELATED SOFTWARE TO BEGIN DEVELOPMENT OF GIS FUNCTION AND DATABASE FOR PLANNING DEPARTMENT. BASE MAPS TO BE DEVELOPED BY ASSESSOR'S OFFICE WORKING WITH PLANNING AND PUBLIC SERVICE. AMENDS COUNCIL RESOLUTION #526 TO ALLOW DISTRIBUTION OF FUNDS BETWEEN EQUIPMENT AND OPERATING EXPENSES. REVENUE DETAIL ACCOUNT 101-0-673100-0. THE DEPARTMENT IS PRECLUDED FROM COMPLETING THIS PURCHASE UNTIL THE SUPPORTING REVENUE IS RECEIVED FROM THE BOARD OF WATER AND LIGHT.)



AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$109,119.04	PARK MILL-FRANCES PARK SHORELINE 412-933890- 974000-46089	FOSTER CENTER REPAIRS 412-933890-975000- 46066

(ADDITIONAL MONEY NECESSARY TO INITIATE CHANGE ORDERS THAT WILL ALLOW THE RENOVATION WORK AT FOSTER COMMUNITY CENTER TO PROCEED. THE MAJORITY OF THE CHANGE ORDER COSTS ARE ASSOCIATED WITH MASONRY REPAIRS AND THE REPLACEMENT OF WINDOW LINTERS. FRANCES PARK SHORELINE PROJECT GRANT MATCH TO BE DONE IN FY 2000 IN CONJUNCTION WITH REBUILDING OF MOORES RIVER DRIVE AND FUNDING WILL NEED TO BE REPLACED AT THAT TIME. EXTERIOR WORK IS TO CONTINUE, HOWEVER PROJECT DEADLINES WILL NOT BE MET, PENDING IDENTIFICATION OF FUNDS TO SUPPORT AN ADDITIONAL \$190,000 IN IDENTIFIED REPAIRS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$10,270	ESTIMATED REVENUE- STATE & FEDERAL PROGRAMS 273-0- 170001-0	
\$2,370		COPS MORE '96 GRANT- MISC. & OPER. 273- 343251-741000-17649
\$2,100		SOFTWARE 273-343251- 741890-17649
\$5,800		EQUIPMENT 273-343251- 977000-17649

(PROJECTED EXPENDITURE FOR PURCHASE AND INSTALLATION OF GIS COMPUTER SYSTEMS AND SOFTWARE FOR USE BY PLANNING AND ANALYSIS FUNCTION IN LPD CENTRAL SERVICES. REVENUE DETAIL ACCOUNTS 273-0696101-17649-FEDERAL FUNDS, 273-0-696101-17649.)

~~\$94,373 FROM FIRE DEPARTMENT DISPATCH SALARIES  
101-343500-702000-0~~  
~~\$94,373 TO FIRE DEPARTMENT CONTROL 101-  
343501-992200-0~~  
~~\$94,373 FROM FIRE DEPARTMENT CONTROL 101-  
343501-992200-0~~  
~~\$94,373 TO POLICE DEPARTMENT CONTROL 101-  
343201-992200-0~~  
~~\$94,373 FROM POLICE DEPARTMENT CONTROL 101-  
343201-992200-0~~  
~~\$94,373 TO POLICE 911 SALARIES 101-343230-  
702000-0~~

~~(ADDITION OF FIVE FOP 911 DISPATCH POSITIONS IN  
ORDER TO CONSOLIDATE FIRE DISPATCH OPERATIONS FOR  
THE CITY OF LANSING WITH 911 FIRE DISPATCH SERVICES,  
PER ADOPTED BUDGET, EFFECTIVE 12/15/97. INCREASES  
DEPARTMENT AUTHORIZED STRENGTH TO 363).~~

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$4,200	FINANCE-OPERATIONAL SERVICES REPAIR & MAINT. 101-172711- 746000-0	FINANCE-OPERATIONAL SERVICES LEASE PURCHASE 101-172711-980000-0

(REPLACEMENT COPIER AND XEROX DC230 DIGITAL COPIER. SAVINGS FROM MAINTENANCE AGREEMENT ON EXISTING COPIER AND PER COPY CHARGES ARE APPROXIMATELY EQUAL TO LEASE AND PER COPY CHARGES FOR NEW UNITS. USEFUL LIFE FOR FINANCING PURPOSES IS SET AT 5 YEARS, WHICH IS THE PROPOSED TERM OF FINANCING.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$419,848	ESTIMATED REVENUE- STATE & FEDERAL PROGRAMS 273-0- 170001-0	
\$320,848		SOFTWARE & INSTALLATION LLEBG 273-343251- 741890-17647
\$ 5,094		TRAINING LLEBG 273- 343251-747032-17647
\$86,000		EQUIPMENT-LLEBG 273- 343251-977000-17647
\$8,506		EQUIPMENT-LPD 273- 343251-977032-17647

GRANT AWARD 96-LB-VX-3130 FOR UTILIZING LAPTOP COMPUTERS AND DIGITAL COMMUNICATIONS TECHNOLOGY TO FURTHER AUTOMATE PATROL OPERATIONS AND LINK OFFICERS IN THE FIELD WITH THE MAIN DATABASE RECORDS CONTAINED IN LEMS IN POLICE HEADQUARTERS, AND WITH THE MICHIGAN STATE POLICE LAW ENFORCEMENT INFORMATION NETWORK SYSTEM. AMENDED GRANT RESULTS IN THE REDUCTION OF TWO POSITIONS INCLUDED IN THE FY 98 ADOPTED BUDGET FOR LPD TO 358. REVENUE DETAIL ACCOUNTS; LOCAL LAW ENFORCEMENT GRANT, 273-0-527001-17647, \$365,623- LOCAL MATCHING FUNDS, 273-0-696101-17647, \$40,625 (OPERATING TRANSFER-GF GRANT MATCH); INTEREST INCOME, 273-0-670000-17647, \$13,600.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$16,100	STADIUM FUND-FUND BAL 234-0-390001-0	OPER. TRANSFER-LEPFA 234-966000-991570-0

(PURCHASE OF TRACTOR AND PORTABLE HEATER TO SUPPORT ICE SKATING AT OLDSMOBILE PARK. FUNDING FROM STADIUM CAPITAL RESERVE.)



AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$27,000	PSD 101-834101-960210-0	OPER TRANS-298 FUND 101-834101-991298-0
\$438,571	PSD 298-173904-700000-0	
\$58,000	EST REV-PSD 298-0-170001-0	

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$ 82,728		PERSONNEL EXPENSES 298-173904-701000-0
\$320,343		MISC. & OPER. EXPENSES 298-173904-741000-0
\$52,000		CAR CAPITAL/OLDS CENTENNIAL 298-173904-741876-0
\$30,000		CENTENNIAL ROW BRICK PROGRAM 298-173904-741877-0
\$10,000		GRANTS-CO-OP PROGRAM 298-173904-760000-0
\$1,500		EQUIPMENT 298-173904-977000-0

(DISBURSEMENT OF PSD APPROPRIATIONS INTO CATEGORICAL EXPENDITURE ACCOUNTS IN ACCORDANCE WITH TRANSFER POLICY AND FORM OF OTHER CITY APPROPRIATIONS. REFLECTION OF CAR CAPITAL AND CENTENNIAL BRICK PROJECTS IN SEPARATE ACCOUNTS TO TRACK EXPENDITURES RESULTING FROM CONTRIBUTIONS. REVENUE DETAIL ACCOUNTS 298-0-675000, \$31,000- 298-0-696101, \$27,000.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$8,000	PARKS-FORESTRY WAGES HOURLY 101-783821-706000-0	CAPITAL OUTLAY-CONSTRUCTION 101-783820-970000-0

(PURCHASE OF BENCHES FOR MOORES PARK POOL.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$50	ESTIMATED REVENUE-GENERAL FUND 101-0-170001-0	PARKS-DONATIONS & CONTRIBUTIONS 101-783810-741880-0

(DONATION FROM AARP IN MEMORY OF RICHARD LETTS FOR LETTS COMMUNITY CENTER. REVENUE DETAIL ACCOUNT 101-0-675000-0.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$500	GENERAL ADMINISTRATION-GENERAL CONTINGENCY 101-173901-992001-0	COMM. SUPPORTED AGEN.-GENESSEE NEIGH. ASSOC. 101-834101-960228-0

(CONTRACT WITH GENESEE NEIGHBORHOOD ASSOCIATION FOR UPGRADE TO PERSONAL COMPUTER.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$59,711.64	POTTER PRK ZOO-RET. EARNING 509-0-395001-0	CAPITAL IMPROVEMENTS 509-783835-970000-0

PARKING REVENUES, NET OF EXPENDITURES, AND ESTIMATE PER COUNCIL DIRECTION TO BE DEDICATED TO POTTER PARK CAPITAL IMPROVEMENTS.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$25,000	ESTIMATED REVENUE-INFRASTRUCTURE 410-0-170001-0	FRANCES PARK-PARKING LOT 410-933890-970000-43849

(STATE OF MICHIGAN DONATION FOR ITS PORTION OF COSTS OF RENOVATION OF THE PARKING LOT IN FRANCES PARK. REVENUE DETAIL ACCOUNT 410-0-675000-0.)

BY COUNCILMEMBER JONES

TO DIVIDE THE QUESTION TO SEPARATE THE \$94,373 TRANSFER TO LPD 911 SALARIES, AND TO PLACE AN AFFIRMATIVE ROLL ON ALL REMAINING TRANSFERS AND REFER THE 911 TRANSFER TO THE COMMITTEE OF THE WHOLE

CARRIED UNANIMOUSLY

#### RESOLUTION #676

NOTICE OF INTENT TO ISSUE BONDS  
FOR PUBLIC SERVICE DEPARTMENT  
COMBINED SEWER OVERFLOW PROJECT  
CITY OF LANSING  
COUNTIES OF INGHAM AND EATON, MICHIGAN

WHEREAS, THE STATE OF MICHIGAN WATER RESOURCES COMMISSION HAS ISSUED A WASTEWATER TREATMENT FACILITIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. MI 0023400 (THE "NPDES PERMIT") REQUIRING THE CITY OF LANSING (THE "CITY") TO CONSTRUCT CERTAIN COMBINED SEWER OVERFLOW CONTROL IMPROVEMENTS; AND

WHEREAS, ACT 320, PUBLIC ACTS OF MICHIGAN, 1927, AS AMENDED, REPEALED AND RECODIFIED BY PART 43 OF ACT 451, PUBLIC ACTS OF MICHIGAN, 1994, AS AMENDED ("ACT 451") ENABLES A CITY TO ISSUE AND SELL BONDS TO FINANCE CONSTRUCTION OF IMPROVEMENTS



REQUIRED BY A PERMIT ISSUED BY THE STATE OF MICHIGAN WATER RESOURCES COMMISSION; AND

WHEREAS, THE CITY COUNCIL OF THE CITY INTENDS TO AUTHORIZE THE ISSUANCE OF LIMITED TAX GENERAL OBLIGATION BONDS PURSUANT TO ACT 451 IN ONE OR MORE SERIES AT AN ESTIMATED INTEREST RATE OF 2.25% AND IN AN AGGREGATE AMOUNT NOT TO EXCEED \$12,000,000 FOR THE PURPOSE OF FINANCING THE LANSING AVENUE SANITARY SEWER PUMP STATION (THE "IMPROVEMENTS"), INCLUDED IN PHASE 11, SEGMENT 5 OF THE COMBINED SEWER OVERFLOW IMPROVEMENTS PROJECT PLAN REQUIRED BY THE NPDES PERMIT, WHICH BONDS WILL BE PAYABLE FROM FUNDS LAWFULLY AVAILABLE TO THE CITY FOR THIS PURPOSE SUCH AS REVENUES DERIVED FROM THE OPERATION OF THE CITY'S SEWAGE DISPOSAL SYSTEM, STORM WATER ENTERPRISE FEES, AND AD VALOREM TAXES PURSUANT TO A PLEDGE OF THE CITY'S LIMITED TAX FULL FAITH AND CREDIT; AND

WHEREAS, NOTICE OF INTENT TO ISSUE BONDS MUST BE PUBLISHED AT LEAST FORTY-FIVE (45) DAYS BEFORE THE ISSUANCE OF THE SAME IN ORDER TO COMPLY WITH THE REQUIREMENTS OF SECTION 5(G) OF ACT 279, PUBLIC ACTS OF MICHIGAN, 1909, AS AMENDED; AND

WHEREAS, THE CITY MUST APPOINT BOND COUNSEL FOR THE ISSUANCE OF THE BONDS, AND

WHEREAS, PRIOR TO ISSUANCE OF EACH SERIES OF BONDS THE CITY MUST EITHER RECEIVE PRIOR APPROVAL OF THE BONDS FROM THE MICHIGAN DEPARTMENT OF TREASURY OR BE EXEMPT FROM PRIOR APPROVAL AS PROVIDED IN CHAPTER 111, SECTION 11, OF ACT 202, PUBLIC ACTS OF MICHIGAN, 1943, AS AMENDED;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. THE CITY CLERK IS HEREBY AUTHORIZED AND DIRECTED TO CAUSE A NOTICE OF INTENT TO ISSUE BONDS TO BE PUBLISHED, ON OR BEFORE DECEMBER 31, 1997, IN THE LANSING STATE JOURNAL, A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY, AS A DISPLAY ADVERTISEMENT AT LEAST 1/4 PAGE IN SIZE.

2. SAID NOTICE OF INTENT SO PUBLISHED SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:"

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS  
OF THE CITY OF LANSING  
OF INTENT TO ISSUE BONDS  
SECURED BY THE TAXING  
POWER OF THE CITY  
AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE THAT THE CITY COUNCIL OF THE CITY OF LANSING, COUNTIES OF INGHAM AND EATON, MICHIGAN, INTENDS TO AUTHORIZE THE ISSUANCE OF LIMITED TAX GENERAL OBLIGATION BONDS OF THE CITY IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED

\$12,000,000 FOR THE PURPOSE OF FINANCING THE LANSING AVENUE SANITARY SEWER PUMP STATION (THE "IMPROVEMENTS"), INCLUDED IN PHASE 11, SEGMENT 5 OF THE COMBINED SEWER OVERFLOW IMPROVEMENTS PROJECT PLAN REQUIRED BY THE NPDES PERMIT. SAID BONDS SHALL MATURE IN NOT TO EXCEED THIRTY (30) ANNUAL INSTALLMENTS WITH INTEREST PAYABLE ON THE UNPAID BALANCE AT AN ESTIMATED INTEREST RATE OF 2.25%, TO BE CONCLUSIVELY DETERMINED AT THE TIME OF SALE OF THE BONDS.

#### SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS SHALL BE PAYABLE PRIMARILY FROM FUNDS LAWFULLY AVAILABLE TO THE CITY FOR THIS PURPOSE SUCH AS REVENUES DERIVED FROM THE OPERATION OF THE CITY'S SEWAGE DISPOSAL SYSTEM, STORMWATER ENTERPRISE FEES, AND AD VALOREM TAXES PURSUANT TO A PLEDGE OF THE CITY'S LIMITED TAX FULL FAITH AND CREDIT. AD VALOREM TAXES MAY NOT BE LEVIED IN EXCESS OF THE CITY'S CHARTER TAX RATE LIMITATION FOR THIS PURPOSE.

#### RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING AN ELECTION ON THE QUESTION OF ISSUING THE BONDS SIGNED BY NOT LESS THAN TEN PERCENT (10%) OF THE REGISTERED ELECTORS IN THE CITY IS FILED WITH THE CITY COUNCIL BY DEPOSIT WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH A PETITION IS FILED, THE BONDS CANNOT BE ISSUED WITHOUT AN APPROVING VOTE BY A MAJORITY OF ELECTORS VOTING ON THE QUESTION.

THIS NOTICE IS GIVEN PURSUANT TO THE REQUIREMENTS OF SECTION 5(G) OF ACT 279, PUBLIC ACTS OF MICHIGAN, 1909, AS AMENDED. FURTHER INFORMATION CONCERNING THE MATTERS SET OUT IN THIS NOTICE MAY BE SECURED FROM THE CITY CLERK'S OFFICE.

MARILYNN SLADE,  
CITY CLERK

3. THE CITY COUNCIL HEREBY DETERMINES THAT THE FOREGOING FORM OF NOTICE OF INTENT TO ISSUE BONDS AND THE MANNER OF PUBLICATION DIRECTED IS ADEQUATE NOTICE TO THE ELECTORS AND TAXPAYERS OF THE CITY AND IS WELL CALCULATED TO INFORM THEM OF THE INTENTION OF THE CITY TO ISSUE THE BONDS, THE PURPOSE OF THE BONDS, THE SECURITY FOR THE BONDS, AND THE RIGHT OF REFERENDUM OF THE ELECTORS WITH RESPECT THERETO, AND THAT THE PROVISION OF FORTY-FIVE (45) DAYS WITHIN WHICH TO FILE A REFERENDUM PETITION IS ADEQUATE TO INSURE THAT THE CITY'S ELECTORS MAY EXERCISE THEIR



RIGHT OF REFERENDUM WITH RESPECT TO THE BONDS.

NAYS: NONE

4. IN ORDER TO COMPLY WITH FEDERAL TREASURY REGULATION § 1.150-2, THE CITY COUNCIL STATES THAT THE CITY INTENDS TO REIMBURSE EXPENDITURES FOR COMBINED SEWER OVERFLOW CONTROL IMPROVEMENTS WITH PROCEEDS OF BONDS, INCLUDING THE BONDS DESCRIBED IN THIS RESOLUTION, BY MAKING THE FOLLOWING DECLARATION:

- ▶ (A) THE CITY REASONABLY EXPECTS TO REIMBURSE ITSELF FOR THE EXPENDITURES MADE TO ACQUIRE THE IMPROVEMENTS WITH PROCEEDS OF DEBT TO BE INCURRED BY THE CITY.
- ▶ (B) THE MAXIMUM PRINCIPAL AMOUNT OF DEBT EXPECTED TO BE ISSUED FOR REIMBURSEMENT PURPOSES INCLUDING BOND ISSUANCE COSTS IS \$12,000,000.
- ▶ (C) A REIMBURSEMENT ALLOCATION OF THE EXPENDITURES FOR THE IMPROVEMENTS WITH THE PROCEEDS OF THE BORROWING DESCRIBED HERE WILL OCCUR NOT LATER THAN 18 MONTHS AFTER THE LATER OF (I) THE DATE ON WHICH THE EXPENDITURE IS PAID, OR (II) THE DATE OF IMPROVEMENTS ARE PLACED IN SERVICE OR ABANDONED, BUT IN NO EVENT MORE THAN THREE (3) YEARS AFTER THE ORIGINAL EXPENDITURE IS PAID. A REIMBURSEMENT ALLOCATION IS AN ALLOCATION IN WRITING THAT EVIDENCES THE CITY'S USE OF THE PROCEEDS OF THE DEBT TO BE ISSUED FOR THE IMPROVEMENTS TO REIMBURSE THE CITY FOR A CAPITAL EXPENDITURE MADE PURSUANT TO THIS RESOLUTION.
- ▶ (D) THIS RESOLUTION IS ADOPTED TO INDICATE THE INTENT OF THE CITY ONLY, AND DOES NOT BIND THE CITY TO ACQUIRE AND CONSTRUCT ANY IMPROVEMENTS OR TO ISSUE ANY OBLIGATIONS OF THE CITY.

5. EITHER THE FINANCE DIRECTOR OR THE PUBLIC SERVICE DIRECTOR ARE AUTHORIZED TO REQUEST AN EXCEPTION FROM PRIOR APPROVAL TO ISSUE BONDS FROM THE MICHIGAN DEPARTMENT OF TREASURY AND TO PAY THE RELATED FEE, OR TO REQUEST THE MICHIGAN DEPARTMENT OF TREASURY TO ISSUE AND ORDER GRANTING PRIOR APPROVAL TO ISSUE BONDS, AND TO REQUEST ANY RELATED WAIVERS.

6. DYKEMA GOSSETT PLLC, OF LANSING, MICHIGAN, IS APPOINTED AS BOND COUNSEL WITH RESPECT TO THE BONDS DESCRIBED IN THIS RESOLUTION.

7. ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION ARE RESCINDED.

BY COUNCILMEMBER JONES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

# **RESOLUTION #677**

CITY OF LANSING

COUNTIES OF INGHAM AND EATON, STATE OF MICHIGAN  
RESOLUTION APPROVING NOTICE OF INTENTION OF  
ENTERING INTO BUILDING AUTHORITY CONTRACT FOR  
PUBLIC SAFETY FACILITIES

WHEREAS, THERE EXISTS IN AND FOR THE CITY OF LANSING (THE "CITY") A NEED TO ACQUIRE, IMPROVE, FURNISH AND EQUIP VARIOUS. PUBLIC SAFETY FACILITIES AND THE NECESSARY SITES THEREFOR, INCLUDING NEW FIRE STATIONS AND IMPROVEMENTS TO EXISTING FIRE STATIONS, A NEW FIRE DEPARTMENT TRAINING STATION INCLUDING MODULAR CLASSROOMS, BLACKTOP, AND BURN ROOM AND EQUIPMENT, AND A NEW POLICE DEPARTMENT FIREARMS TRAINING RANGE COMPOSED OF ONE OR MORE ENCLOSED OR SEMI-ENCLOSED CONCRETE BUILDINGS AND NECESSARY SITE IMPROVEMENTS, TOGETHER WITH APPURTENANT PROPERTIES AND FACILITIES NECESSARY OR CONVENIENT FOR THE EFFECTIVE USE OF THE FACILITIES (THE "IMPROVEMENTS"); AND

WHEREAS, THIS CITY COUNCIL HEREBY DETERMINES THAT IT IS NECESSARY FOR THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY TO ACQUIRE AND CONSTRUCT THE IMPROVEMENTS; AND

WHEREAS, ACT 31, PUBLIC ACTS OF MICHIGAN, 1948 (FIRST EXTRA SESSION), AS AMENDED ("ACT 31"), PROVIDES THROUGH THE PROCEDURES OF BUILDING AUTHORITY FINANCING A MEANS FOR THE ACQUISITION, IMPROVEMENT, FURNISHING, EQUIPPING, MAINTAINING AND FINANCING OF BUILDINGS AND THE NECESSARY SITES THEREFOR, TOGETHER WITH APPURTENANT PROPERTIES AND FACILITIES NECESSARY OR CONVENIENT FOR THE EFFECTIVE USE OF THE FACILITIES, FOR USE FOR ANY LEGITIMATE PUBLIC PURPOSE OF THE CITY; AND

WHEREAS, THE CITY, IN ACCORDANCE WITH THE PROVISIONS OF ACT 31, HAS PREVIOUSLY ADOPTED ARTICLES OF INCORPORATION AND HAS ESTABLISHED THE CITY OF LANSING BUILDING AUTHORITY (THE "AUTHORITY"), WITH FULL POWERS TO ACQUIRE, IMPROVE, FURNISH, EQUIP, AND FINANCE BUILDINGS AND THE NECESSARY SITES THEREFOR, TOGETHER WITH APPURTENANT PROPERTIES AND FACILITIES NECESSARY OR CONVENIENT FOR THE EFFECTIVE USE OF THE FACILITIES; AND

WHEREAS, THIS CITY COUNCIL DETERMINES IT TO BE IN THE BEST INTEREST OF THE CITY TO FINANCE A PORTION OF THE COSTS OF ACQUIRING IMPROVEMENTS THROUGH THE AUTHORITY IN ACCORDANCE WITH THE PROVISIONS OF ACT 31; AND

WHEREAS, IN ACCORDANCE WITH THE REQUIREMENTS OF ACT 31, A FULL FAITH AND CREDIT LIMITED TAX GENERAL OBLIGATION CONTRACT OF LEASE (THE "CONTRACT") HAS BEEN PREPARED BETWEEN THE CITY AND THE AUTHORITY PROVIDING THAT THE AUTHORITY SHALL ACQUIRE THE IMPROVEMENTS AND THE SITES THEREFOR, AND LEASE THE



SAME TO THE CITY, THAT THE AUTHORITY SHALL FINANCE A PORTION OF THE COST OF IMPROVEMENTS THROUGH THE ISSUANCE OF ITS LIMITED TAX GENERAL OBLIGATION BONDS (THE "BONDS"), AND THAT THE CITY SHALL PAY THE AUTHORITY CASH RENTALS FOR LEASE OF THE IMPROVEMENTS AND THE SITES THEREOF OR IN AN AMOUNT SUFFICIENT TO PROVIDE FOR PAYMENT OF DEBT SERVICE ON THE BONDS; AND

WHEREAS, IN ACCORDANCE WITH THE REQUIREMENTS OF ACT 31, THE CITY MUST PUBLISH A NOTICE OF INTENTION TO ENTER INTO THE CONTRACT, AND THE CONTRACT SHALL BECOME EFFECTIVE WITHOUT VOTE OF THE ELECTORS OF THE CITY SIXTY (60) DAYS FOLLOWING THE DATE OF PUBLICATION OF THE NOTICE, UNLESS A SUFFICIENT PETITION FOR REFERENDUM REQUESTING AN ELECTION ON THE CONTRACT IS FILED WITH THE CITY CLERK WITHIN AT LEAST FORTY-FIVE (45) DAYS AFTER THE NOTICE IS PUBLISHED; AND

WHEREAS, A PORTION OF THE EXPENDITURES FOR THE IMPROVEMENTS ARE EXPECTED TO BE FUNDED BY THE CITY ON A LONG-TERM BASIS SOLELY WITH THE PROCEEDS OF THE BONDS TO BE ISSUED BY THE AUTHORITY PURSUANT TO THE CONTRACT IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED SEVEN MILLION DOLLARS (\$7,000,000), WHICH BONDS WILL BE ISSUED IN EXPECTATION OF OR IN REIMBURSEMENT OF THE EXPENDITURES, AND THE REMAINING PORTION OF THE EXPENDITURES FOR THE IMPROVEMENTS ARE EXPECTED TO BE FUNDED BY THE CITY FROM OTHER FUNDS; AND

WHEREAS, THE INTERNAL REVENUE SERVICE HAS ISSUED TREASURY REGULATION §1.150-2 PURSUANT TO THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, GOVERNING PROCEEDS OF DEBT USED FOR REIMBURSEMENT, PURSUANT TO WHICH THE CITY MUST DECLARE OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF SUCH DEBT.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. THIS CITY COUNCIL HEREBY DETERMINES IT TO BE NECESSARY FOR THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY TO ACQUIRE THE IMPROVEMENTS FOR THE USE OF THE CITY. THE IMPROVEMENTS ARE DESCRIBED IN EXHIBIT A OF THE CONTRACT.

2. THIS CITY COUNCIL DEEMS IT TO BE IN THE BEST INTEREST OF THE CITY TO FINANCE A PORTION OF THE COST OF SUCH IMPROVEMENTS IN AMOUNT NOT TO EXCEED SEVEN MILLION DOLLARS (\$7,000,000) THROUGH THE AUTHORITY IN ACCORDANCE WITH THE PROVISIONS OF ACT 31. THE BUILDING AUTHORITY SHALL NOT SELL BONDS TO FINANCE THE IMPROVEMENTS UNTIL IT RECEIVES APPROVAL OF SALE OF THE BONDS FROM CITY COUNCIL.

3. THE NOTICE OF INTENTION OF ENTERING INTO CONTRACT OF LEASE AS HERETO ATTACHED AS EXHIBIT A (THE "NOTICE") SHALL BE PUBLISHED IN THE LANSING STATE JOURNAL, A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY, PROMPTLY UPON ADOPTION OF THIS RESOLUTION, SAID

NOTICE TO APPEAR AS A DISPLAY ADVERTISEMENT AT LEAST ONE-QUARTER (1/4) PAGE IN SIZE. THE CITY COUNCIL HEREBY DETERMINES THAT THE NOTICE CONTAINS THE INFORMATION NECESSARY TO ADEQUATELY INFORM THE TAXPAYERS AND ELECTORS OF THE CITY OF THE NATURE OF THE PROPOSED CONTRACTUAL OBLIGATION. THE CITY COUNCIL HEREBY DETERMINES THAT THE DESIGNATED NEWSPAPER IS THE NEWSPAPER CIRCULATING IN THE CITY WHICH REACHES THE LARGEST NUMBER OF PERSONS TO WHOM THE NOTICE IS DIRECTED, AND THAT PUBLICATION OF THE NOTICE IN THE DESIGNATED NEWSPAPER REPRESENTS THE MOST PRACTICAL AND FEASIBLE MEANS OF INFORMING THE TAXPAYERS AND ELECTORS OF THE CITY OF THE IMPROVEMENTS AND THE FINANCING THEREOF. A COPY OF THE CONTRACT SHALL BE PLACED ON FILE IN THE OFFICE OF THE CITY CLERK AND SHALL BE AVAILABLE FOR PUBLIC EXAMINATION.

4. THE CITY COUNCIL HEREBY APPROVES THE CONTRACT. THE MAYOR AND THE CITY CLERK ARE AUTHORIZED TO IMMEDIATELY EXECUTE AND DELIVER THE CONTRACT TO THE AUTHORITY. THE CONTRACT SHALL NOT BECOME EFFECTIVE UNTIL THE EXPIRATION OF SIXTY (60) DAYS FOLLOWING THE DATE OF PUBLICATION OF THE NOTICE. IF, UNDER THE PROVISIONS OF SECTION 8B OF ACT 31, A SUFFICIENT PETITION FOR REFERENDUM ON THE QUESTION OF WHETHER THE CONTRACT SHOULD BE EFFECTIVE IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THE NOTICE, THEN THE CONTRACT SHALL NOT BECOME EFFECTIVE WITHOUT CITY VOTER APPROVAL.

5. THE CITY COUNCIL HEREBY RATIFIES AND CONFIRMS ITS INTENTION TO COVENANT IN THE CONTRACT THAT THE CITY WILL LEVY AD VALOREM TAXES AGAINST ALL TAXABLE PROPERTY IN THE CITY TO THE EXTENT NECESSARY TO MEET THE OBLIGATIONS OF THE CITY THEREUNDER IN THE EVENT REVENUES FROM OTHER SOURCES ARE INSUFFICIENT FOR ANY REASON WHATSOEVER. ANY SUCH TAXES LEVIED TO PAY THE CASH RENTAL UNDER THE CONTRACT SHALL BE LIMITED AS TO RATE OR AMOUNT IN THE MANNER PROVIDED BY LAW.

6. THE CITY HEREBY COVENANTS TO TAKE ALL ACTION WITHIN ITS CONTROL TO THE EXTENT PERMITTED BY LAW NECESSARY TO MAINTAIN THE EXCLUSION OF THE INTEREST ON THE BONDS FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), INCLUDING BUT NOT LIMITED TO, ACTIONS RELATING TO THE REBATE OF ARBITRAGE EARNINGS AND THE EXPENDITURE AND INVESTMENT OF PROCEEDS OF THE BONDS AND MONEYS DEEMED TO BE PROCEEDS OF THE BONDS.

7. THE CITY COUNCIL HEREBY MAKES THE FOLLOWING DECLARATION OF INTENT FOR THE PURPOSE OF COMPLYING WITH THE REIMBURSEMENT RULES OF TREAS. REG. §1.150-2 PURSUANT TO THE CODE:

► (1) THE CITY REASONABLY EXPECTS TO REIMBURSE ITSELF FOR A PORTION OF THE EXPENDITURES FOR THE IMPROVEMENTS WITH PROCEEDS OF DEBT TO BE INCURRED BY THE BUILDING AUTHORITY ON BEHALF OF THE CITY OR



BY THE CITY.

- ▶ (2) THE MAXIMUM PRINCIPAL AMOUNT OF DEBT EXPECTED TO BE ISSUED FOR REIMBURSEMENT PURPOSES, INCLUDING REIMBURSEMENT OF DEBT ISSUANCE COSTS, IS \$7,000,000, WHICH DEBT MAY BE ISSUED IN ONE OR MORE SERIES.
- ▶ (3) A REIMBURSEMENT ALLOCATION OF THE EXPENDITURES FOR THE IMPROVEMENTS WITH THE PROCEEDS OF THE BORROWING DESCRIBED HEREIN WILL OCCUR NOT LATER THAN 18 MONTHS AFTER THE LATER OF (I) THE DATE ON WHICH THE EXPENDITURE IS PAID, OR (II) THE DATE THE IMPROVEMENTS ARE PLACED IN SERVICE OR ABANDONED, BUT IN NO EVENT MORE THAN THREE (3) YEARS AFTER THE ORIGINAL EXPENDITURE IS PAID. A REIMBURSEMENT ALLOCATION IS AN ALLOCATION IN WRITING THAT EVIDENCES THE CITY'S USE OF THE PROCEEDS OF THE DEBT TO BE ISSUED FOR THE IMPROVEMENTS TO REIMBURSE THE CITY FOR A CAPITAL EXPENDITURE MADE PURSUANT TO, THIS RESOLUTION.
- ▶ (4) THE EXPENDITURES FOR THE IMPROVEMENTS ARE "CAPITAL EXPENDITURES" AS DEFINED IN TREAS. REG. § 1.150-1(b), WHICH ARE ANY COSTS OF A TYPE WHICH ARE PROPERLY CHARGEABLE TO A CAPITAL ACCOUNT (OR WOULD BE SO CHARGEABLE WITH A PROPER ELECTION OR WITH THE APPLICATION OF THE DEFINITION OF "PLACED IN SERVICE" UNDER TREAS. REG. § 1.150-2(c)) UNDER GENERAL FEDERAL INCOME TAX PRINCIPLES (AS DETERMINED AT THE TIME THE EXPENDITURE IS PAID).
- ▶ (5) NO PROCEEDS OF THE BORROWING PAID TO THE CITY IN REIMBURSEMENT PURSUANT TO THIS RESOLUTION WILL BE USED IN A MANNER DESCRIBED IN TREAS. REG. § 1.150-2(h) WITH RESPECT TO ABUSIVE USES OF SUCH PROCEEDS, INCLUDING, BUT NOT LIMITED TO, USING FUNDS CORRESPONDING TO THE PROCEEDS OF THE BORROWING IN A MANNER THAT RESULTS IN THE CREATION OF REPLACEMENT PROCEEDS (WITHIN TREAS. REG. § 1.148-1) WITHIN ONE YEAR OF THE REIMBURSEMENT ALLOCATION DESCRIBED IN (3) ABOVE.
- ▶ (6) EXPENDITURES FOR THE IMPROVEMENTS TO BE REIMBURSED FROM THE PROCEEDS OF THE BORROWING FOR PURPOSES OF THIS RESOLUTION DO NOT INCLUDE COSTS FOR THE ISSUANCE OF THE DEBT OR AN AMOUNT NOT IN EXCESS OF THE LESSER OF \$100,000 OR 5 PERCENT OF THE PROCEEDS OF THE BORROWING, OR PRELIMINARY EXPENDITURE NOT EXCEEDING TWENTY (20) PERCENT OF THE ISSUE PRICE OF THE BORROWING, WITHIN THE MEANING OF TREAS. REG. § 1.150-2(f) (SUCH PRELIMINARY EXPENDITURES INCLUDE ARCHITECTURAL, ENGINEERING, SURVEYING, SOIL TESTING AND SIMILAR COSTS INCURRED PRIOR TO CONSTRUCTION OF THE IMPROVEMENTS, BUT DO NOT INCLUDE LAND ACQUISITION, SITE PREPARATION, AND SIMILAR COSTS INCIDENT TO COMMENCEMENT OF CONSTRUCTION).
- ▶ (7) THIS DECLARATION OF INTENT IS MADE TO INDICATE THE INTENT OF THE CITY ONLY, AND DOES NOT BIND THE CITY TO ACQUIRE AND CONSTRUCT ANY IMPROVEMENTS OR TO

ISSUE ANY OBLIGATIONS OF THE CITY WITH RESPECT THERETO.

8. THE DIRECTOR OF FINANCE OR HIS DULY AUTHORIZED DEPUTY ARE EACH AUTHORIZED TO REQUEST AN ORDER FROM THE DEPARTMENT OF TREASURY OF THE STATE OF MICHIGAN PROVIDING AN EXCEPTION FOR THE BONDS FROM PRIOR APPROVAL OR AN ORDER OF APPROVAL TO ISSUE BONDS, TO REQUEST ANY NECESSARY WAIVERS, TO PAY ANY RELATED FEE, AND TO EXECUTE AND DELIVER ANY DOCUMENTS AS MAY BE REQUIRED IN CONNECTION WITH SUCH ORDER.

9. IN ORDER TO ENABLE UNDERWRITERS OF THE BONDS TO COMPLY WITH THE REQUIREMENTS OF RULE 15c2-12 PROMULGATED BY THE SECURITIES AND EXCHANGE COMMISSION, THE CITY HEREBY AGREES TO UNDERTAKE CONTINUING DISCLOSURE ON BEHALF OF ITSELF AS AN OBLIGATED PERSON OF THE BONDS, AND ON BEHALF OF THE BUILDING AUTHORITY AS THE ISSUER OF THE BONDS. PURSUANT TO THE TERMS OF THE CONTINUING DISCLOSURE UNDERTAKING, THE CITY WOULD PROVIDE, OR CAUSE TO BE PROVIDED, (I) CERTAIN ANNUAL FINANCIAL INFORMATION AND OPERATING DATA, INCLUDING AUDITED FINANCIAL STATEMENTS FOR THE PRECEDING FISCAL YEAR, (II) TIMELY NOTICE OF THE OCCURRENCE OF CERTAIN MATERIAL EVENTS WITH RESPECT TO THE BONDS, AND (III) TIMELY NOTICE OF A FAILURE BY THE CITY TO PROVIDE THE REQUIRED ANNUAL FINANCIAL INFORMATION ON OR BEFORE THE DATE REQUIRED IN THE CONTINUING DISCLOSURE UNDERTAKING. THE DIRECTOR OF FINANCE OR HIS DULY AUTHORIZED DEPUTY SHALL EXECUTE SUCH CONTINUING DISCLOSURE UNDERTAKING ON BEHALF OF THE CITY IN SUCH FORM AS HE OR SHE SHALL, IN CONSULTATION WITH BOND COUNSEL, DETERMINE TO BE APPROPRIATE.

10. ANY OFFICER OF THE CITY IS HEREBY AUTHORIZED TO EXECUTE ANY AND ALL AGREEMENTS, INSTRUMENTS, CERTIFICATES AND OTHER DOCUMENTS NECESSARY TO EFFECTUATE ISSUANCE OF THE BONDS, INCLUDING WITHOUT LIMITATION DOCUMENTS, INSTRUMENTS AND CERTIFICATES NECESSARY OR DESIRABLE TO SATISFY THE REQUIREMENTS OF THE CODE IN RELATION TO ARBITRAGE AND REBATE.

11. ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THE SAME CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME HEREBY ARE RESCINDED.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND COMPLETE COPY OF A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANSING, COUNTIES OF INGHAM AND EATON, AT A REGULAR MEETING HELD ON MONDAY, DECEMBER 8, 1997, AT 7:00 O'CLOCK P.M., PREVAILING EASTERN TIME, AND THAT SAID MEETING WAS CONDUCTED AND PUBLIC NOTICE OF SAID MEETING WAS GIVEN PURSUANT TO AND IN FULL COMPLIANCE WITH THE OPEN MEETINGS ACT, BEING ACT 267, PUBLIC ACTS OF MICHIGAN, 1976, AND



THAT THE MINUTES OF SAID MEETING WERE KEPT AND WILL BE OR HAVE BEEN MADE AVAILABLE AS REQUIRED BY SAID ACT 267.

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS WERE PRESENT AT SAID MEETING: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK, AND THAT THE FOLLOWING MEMBERS WERE ABSENT: NONE.

I FURTHER CERTIFY THAT MEMBER JONES MOVED ADOPTION OF SAID RESOLUTION.

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS VOTED FOR ADOPTION OF SAID RESOLUTION: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK, AND THAT THE FOLLOWING MEMBERS VOTED AGAINST ADOPTION OF SAID RESOLUTION: NONE.

#### EXHIBIT A

NOTICE OF INTENTION OF ENTERING INTO LIMITED TAX-SUPPORTED  
CONTRACT OF LEASE AND OF  
RIGHT TO PETITION FOR REFERENDUM THEREON  
PUBLIC SAFETY FACILITIES  
TO THE TAXPAYERS AND ELECTORS  
OF THE CITY OF LANSING, MICHIGAN:

PLEASE TAKE NOTICE THAT THE CITY OF LANSING INTENDS TO APPROVE AND EXECUTE A FULL FAITH AND CREDIT LIMITED TAX GENERAL OBLIGATION CONTRACT OF LEASE WITH THE CITY OF LANSING BUILDING AUTHORITY PURSUANT TO ACT NO. 31, PUBLIC ACTS OF MICHIGAN, 1946 (FIRST EXTRA SESSION), AS AMENDED. SUCH CONTRACT SHALL PROVIDE, AMONG OTHER THINGS, THAT THE BUILDING AUTHORITY WILL ACQUIRE, IMPROVE, FURNISH AND EQUIP VARIOUS PUBLIC SAFETY FACILITIES AND THE NECESSARY SITES THEREFOR, INCLUDING NEW FIRE STATIONS AND IMPROVEMENTS TO EXISTING FIRE STATIONS, A NEW FIRE DEPARTMENT TRAINING STATION, AND A NEW POLICE DEPARTMENT FIREARMS TRAINING RANGE ON THE CURRENT SITE, TOGETHER WITH APPURTENANT PROPERTIES AND FACILITIES NECESSARY OR CONVENIENT FOR THE EFFECTIVE USE OF THE FACILITIES (THE "IMPROVEMENTS") AND WILL ISSUE ITS BONDS IN ONE OR MORE SERIES TO FINANCE A PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS FOR THE BENEFIT OF THE CITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SEVEN MILLION (\$7,000,000) DOLLARS. THE BONDS WHEN ISSUED WILL BE PAYABLE IN NOT TO EXCEED 25 ANNUAL INSTALLMENTS. THE BONDS WILL BEAR INTEREST AT A RATE NOT EXCEEDING THE MAXIMUM RATE PER ANNUM PERMITTED BY LAW.

THE CONTRACT FURTHER PROVIDES THAT THE CITY WILL LEASE THE IMPROVEMENTS AND THE SITES THEREFOR FROM THE BUILDING AUTHORITY AND WILL PAY AS RENTAL TO THE BUILDING AUTHORITY ALL SUMS NECESSARY TO RETIRE THE PRINCIPAL OF AND INTEREST ON THE BONDS, TOGETHER WITH ALL COSTS OF OPERATING AND MAINTAINING THE IMPROVEMENTS AND ALL COSTS OF THE BUILDING AUTHORITY IN CONNECTION THEREWITH, REGARDLESS OF WHETHER THE IMPROVEMENTS ARE COMPLETED OR TENANTABLE. THE PRINCIPAL AMOUNT TO BE BORROWED BY THE BUILDING AUTHORITY WILL BE INDEBTEDNESS OF THE CITY FOR PURPOSES OF CITY CHARTER, STATUTORY AND CONSTITUTIONAL DEBT LIMITATIONS, AND THE PRINCIPAL AMOUNT, TOGETHER WITH THE CITY'S RENTAL OBLIGATION FOR PAYMENT THEREOF, MAY BE INCREASED TO COVER INCREASED COSTS OF THE IMPROVEMENTS.

#### CITY CONTRACT OBLIGATION

BY VIRTUE OF THE CONTRACT AND ACT 31, ALL OF THE CITY'S REQUIRED PAYMENTS TO THE BUILDING AUTHORITY WILL BE LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATIONS OF THE CITY PAYABLE FROM ANY AVAILABLE FUNDS OF THE CITY, AND THE CITY WILL BE REQUIRED TO LEVY AD VALOREM TAXES ON ALL TAXABLE PROPERTY WITHIN ITS BOUNDARIES, TO THE EXTENT NECESSARY TO MAKE THE PAYMENTS REQUIRED TO RETIRE THE BONDS AND INTEREST THEREON, IF OTHER FUNDS FOR THAT PURPOSE ARE NOT AVAILABLE, AND AS LIMITED BY LAW. HOWEVER, THE OBLIGATION TO LEVY TAXES IS LIMITED BY APPLICABLE CONSTITUTIONAL, CHARTER AND STATUTORY TAX RATE LIMITATIONS.

IN THE EVENT THAT A SUFFICIENT PETITION REQUIRING AN ELECTION WITH RESPECT TO THE CONTRACT IS FILED, AS DESCRIBED BELOW, AND THE CONTRACT IS APPROVED BY VOTE OF THE ELECTORS, THE OBLIGATION TO LEVY AD VALOREM TAXES TO PAY THE PART OF THE CITY'S RENTAL OBLIGATION THAT WILL BE USED TO PAY DEBT SERVICE ON THE BUILDING

#### RESOLUTION #678

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

THAT THE FOLLOWING TRANSFER BE APPROVED;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$40,153.00	PRKS MILL-POTTER PARK WATER LINES 412-933835- 974000-46041	
\$1,210.50	POTTER PARK FARMYARD 412-93 3 890-970000- 46022	
\$30,000.00	REPAIRS AND MAINTENANCE 412-93 3 890-746000- 46026	
\$4,544.14	SCOTT HOUSE DESIGN 412- 93 3 890-975001-46044	
\$3,578.86	KINGSLEY PARKING LOT 412-933890-974000- 46055	
\$586.80	COOLEY GARDENS-STORAGE 412-933890-975000- 46072	
\$52,499.24	ESTIMATED REVENUE 412- O-170001-O	
\$132,572.54		FOSTER CENTER REPAIRS 412-933890-975000-46066

(PORTION OF ADDITIONAL FUNDING TO CONTINUE FOSTER CENTER REPAIRS ACCORDING TO SCHEDULE. ESTIMATED ADDITIONAL FUNDING NEED OF \$57,427 TO BE IDENTIFIED AT A LATER DATE. REVENUE DETAIL ACCOUNT 412-O-670000-O, REPRESENTING FIRST QUARTER INTEREST EARNINGS WITHIN THE PARK MILLAGE FUND.)

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### RESOLUTION #679

CITY OF LANSING  
COUNTIES OF INGHAM AND EATON  
STATE OF MICHIGAN

RESOLUTION APPROVING INSTALLMENT PURCHASE  
FINANCING OF FIRE DEPARTMENT COMMUNICATIONS  
EQUIPMENT AND EMERGENCY GENERATORS

WHEREAS, THERE EXISTS IN AND FOR THE CITY OF LANSING (THE "CITY") A NEED TO ACQUIRE 800 MHZ COMMUNICATIONS EQUIPMENT INCLUDING HAND HELD RADIOS, MOBILE RADIOS, AND RELATED IMPROVEMENTS TO 911 CENTER CONSOLES, FOR USE BY THE CITY'S FIRE DEPARTMENT (THE "RADIO COMMUNICATIONS EQUIPMENT"), AND TO ACQUIRE EMERGENCY GENERATORS FOR ALL FIRE STATIONS (THE "GENERATORS"; COLLECTIVELY, THE RADIO COMMUNICATIONS EQUIPMENT AND



THE GENERATORS ARE REFERRED TO AS THE "PROPERTY"; AND

WHEREAS, ACT NO. 99, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED ("ACT 99") PROVIDES A MEANS FOR THE ACQUISITION AND FINANCING OF REAL OR PERSONAL PROPERTY FOR PUBLIC PURPOSES; AND

WHEREAS, PURSUANT TO THE AUTHORITY GRANTED BY ACT 99, THE LEGISLATIVE BODY OF A CITY MAY ENTER INTO ANY CONTRACT OR AGREEMENT FOR THE PURCHASE OF REAL OR PERSONAL PROPERTY FOR PUBLIC PURPOSES, TO BE PAID FOR IN INSTALLMENTS OVER A PERIOD OF NOT TO EXCEED FIFTEEN (15) YEARS BUT IN ANY CASE NOT TO EXCEED THE USEFUL LIFE OF THE PROPERTY ACQUIRED, AS THE USEFUL LIFE SHALL BE DETERMINED BY RESOLUTION OF THE LEGISLATIVE BODY; AND

WHEREAS, THE OUTSTANDING BALANCE OF ALL PURCHASES BY THE CITY UNDER ACT 99, EXCLUSIVE OF INTEREST, SHALL NOT EXCEED ONE AND ONE QUARTER PERCENT (1-1/4%) OF THE TAXABLE VALUE OF THE REAL AND PERSONAL PROPERTY IN THE CITY AT THE DATE OF SUCH CONTRACT OR AGREEMENT; AND

WHEREAS, PURCHASE OF THE PROPERTY PURSUANT TO AN INSTALLMENT PURCHASE AGREEMENT OR CONTRACT WILL NOT RESULT IN THE OUTSTANDING BALANCE OF ALL SUCH PURCHASES IN EXCESS OF THE LIMITATION CONTAINED WITHIN ACT 99 AS SET FORTH ABOVE; AND

WHEREAS, THIS CITY COUNCIL DETERMINES THAT THE MOST EXPEDITIOUS AND EFFICIENT MANNER OF ACQUIRING THE PROPERTY IS PURSUANT TO THE AUTHORITY GRANTED BY ACT 99, AND THIS CITY COUNCIL DETERMINES IT TO BE IN THE BEST INTEREST OF THE CITY TO ACQUIRE THE PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF ACT 99.

NOW THEREFORE, BE IT RESOLVED THAT;

- ▶ 1. IT IS HEREBY FOUND AND DECLARED TO BE FOR PUBLIC PURPOSES AND IN THE BEST INTEREST OF THE WELFARE OF THE RESIDENTS OF THE CITY TO ACQUIRE THE PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF ACT 99.
- ▶ 2. THE FINANCE DIRECTOR OF THE CITY IS HEREBY AUTHORIZED TO NEGOTIATE ONE OF MORE INSTALLMENT PURCHASE AGREEMENTS OR CONTRACTS FOR THE PURCHASE OF THE PROPERTY WITH A BANK OR FINANCIAL INSTITUTION. PRINCIPAL PAYABLE PURSUANT TO THE INSTALLMENT PURCHASE AGREEMENTS SHALL BE PAYABLE OVER A PERIOD OF NOT TO EXCEED 15 YEARS BUT IN ANY EVENT NOT TO EXCEED THE USEFUL LIFE OF THE PROPERTY BEING ACQUIRED THEREUNDER. THE NET INTEREST COST PAYABLE UNDER THE INSTALLMENT PURCHASE AGREEMENTS SHALL NOT EXCEED 6.00% PER ANNUM AND THE PRINCIPAL AMOUNT TO BE PAID BY THE CITY UNDER THE INSTALLMENT PURCHASE AGREEMENTS SHALL NOT EXCEED \$1,200,000. THE FINANCE DIRECTOR IS HEREBY AUTHORIZED AND DIRECTED TO

EXECUTE AND DELIVER THE INSTALLMENT PURCHASE AGREEMENTS IN A FORM APPROVED BY THE CITY ATTORNEY.

- ▶ 3. THE USEFUL LIFE OF THE RADIO COMMUNICATIONS EQUIPMENT IS HEREBY DETERMINED TO BE NOT LESS THAN TEN (10) YEARS.
- ▶ 4. THE USEFUL LIFE OF THE GENERATORS IS HEREBY DETERMINED TO BE NOT LESS THAN FIFTEEN (15) YEARS.
- ▶ 5. THE CITY HEREBY AGREES TO INCLUDE IN ITS BUDGET FOR EACH YEAR, COMMENCING WITH THE PRESENT FISCAL YEAR, A SUM WHICH WILL BE SUFFICIENT TO PAY THE PRINCIPAL OF AND THE INTEREST COMING DUE UNDER THE INSTALLMENT PURCHASE AGREEMENTS BEFORE EACH FOLLOWING FISCAL YEAR. IN ADDITION, THE CITY HEREBY PLEDGES TO LEVY AD VALOREM TAXES ON ALL TAXABLE PROPERTY IN THE CITY EACH YEAR IN AN AMOUNT NECESSARY TO MAKE ITS DEBT SERVICE PAYMENTS UNDER THE INSTALLMENT PURCHASE AGREEMENTS,, SUBJECT TO APPLICABLE CONSTITUTIONAL, STATUTORY AND CHARTER TAX RATE LIMITATIONS.
- ▶ 6. THE CITY HEREBY MAKES THE FOLLOWING DECLARATION OF INTENT FOR THE PURPOSE OF COMPLYING WITH THE REIMBURSEMENT RULES OF TREAS. REG. §1.150-2 PURSUANT TO THE INTERNAL REVENUE CODE OF 1986, AS AMENDED:

(A) THE CITY REASONABLY EXPECTS TO REIMBURSE ITSELF FOR THE EXPENDITURES FOR THE PROPERTY WITH PROCEEDS OF DEBT TO BE INCURRED BY THE CITY.

(B) THE MAXIMUM PRINCIPAL AMOUNT OF DEBT EXPECTED TO BE ISSUED FOR REIMBURSEMENT PURPOSES, INCLUDING REIMBURSEMENT OF DEBT ISSUANCE COSTS, IS \$1,200,000, WHICH DEBT MAY BE DRAWN IN ONE OR MORE SERIES.

(C) A REIMBURSEMENT ALLOCATION OF THE EXPENDITURES FOR THE PROPERTY WITH THE PROCEEDS OF THE BORROWING DESCRIBED HEREIN WILL OCCUR NOT LATER THAN 18 MONTHS AFTER THE LATER OF (I) THE DATE ON WHICH THE EXPENDITURE IS PAID, OR (II) THE DATE THE PROPERTY IS PLACED IN SERVICE OR ABANDONED, BUT IN NO EVENT MORE THAN THREE (3) YEARS AFTER THE ORIGINAL EXPENDITURE IS PAID. A REIMBURSEMENT ALLOCATION IS AN ALLOCATION IN WRITING THAT EVIDENCES THE CITY'S USE OF THE PROCEEDS OF THE DEBT TO BE ISSUED FOR THE PROPERTY TO REIMBURSE THE CITY FOR A CAPITAL EXPENDITURE MADE PURSUANT TO THIS RESOLUTION.

(D) THE EXPENDITURES FOR THE PROPERTY ARE "CAPITAL EXPENDITURES" AS DEFINED IN TREAS. REG. §1.150-1 (B), WHICH ARE ANY COSTS OF A TYPE WHICH ARE PROPERLY CHARGEABLE TO A



CAPITAL ACCOUNT (OR WOULD BE SO CHARGEABLE WITH A PROPER ELECTION OR WITH THE APPLICATION OF THE DEFINITION OF "PLACED IN SERVICE" UNDER TREAS. REG. §1.150-2(C)) UNDER GENERAL FEDERAL INCOME TAX PRINCIPLES (AS DETERMINED AT THE TIME THE EXPENDITURE IS PAID).

(E) NO PROCEEDS OF THE BORROWING PAID TO THE CITY IN REIMBURSEMENT PURSUANT TO THIS RESOLUTION WILL BE USED IN A MANNER DESCRIBED IN TREAS. REG. §1.150-2(H) WITH RESPECT TO ABUSIVE USES OF SUCH PROCEEDS, INCLUDING, BUT NOT LIMITED TO, USING FUNDS CORRESPONDING TO THE PROCEEDS OF THE BORROWING IN A MANNER THAT RESULTS IN THE CREATION OF REPLACEMENT PROCEEDS (WITHIN TREAS. REG. §1.148-1) WITHIN ONE YEAR OF THE REIMBURSEMENT ALLOCATION DESCRIBED IN (3) ABOVE.

(F) EXPENDITURES FOR THE PROPERTY TO BE REIMBURSED FROM THE PROCEEDS OF THE BORROWING FOR PURPOSES OF THIS RESOLUTION DO NOT INCLUDE COSTS FOR THE ISSUANCE OF THE DEBT OR AN AMOUNT NOT IN EXCESS OF THE LESSER OF \$100,000 OR 5 PERCENT OF THE PROCEEDS OF THE BORROWING, OR PRELIMINARY EXPENDITURE NOT EXCEEDING TWENTY (20) PERCENT OF THE ISSUE PRICE OF THE BORROWING, WITHIN THE MEANING OF TREAS. REG. §1.150-2(F) (SUCH PRELIMINARY EXPENDITURES INCLUDE ARCHITECTURAL, ENGINEERING, SURVEYING, SOIL TESTING AND SIMILAR COSTS INCURRED PRIOR TO CONSTRUCTION OF THE PROPERTY, BUT DO NOT INCLUDE LAND ACQUISITION, SITE PREPARATION, AND SIMILAR COSTS INCIDENT TO COMMENCEMENT OF CONSTRUCTION).

- ▶ 7. THE CITY HEREBY DESIGNATES ITS OBLIGATIONS UNDER THE INSTALLMENT PURCHASE AGREEMENTS AS "QUALIFIED TAX EXEMPT OBLIGATIONS" FOR PURPOSES OF DEDUCTION OF INTEREST EXPENSE BY FINANCIAL INSTITUTIONS PURSUANT TO THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.
- ▶ 8. THE CITY COVENANTS THAT, TO THE EXTENT PERMITTED BY LAW, IT SHALL TAKE ALL ACTIONS WITHIN ITS CONTROL NECESSARY TO MAINTAIN THE EXCLUSION OF THE INTEREST COMPONENT OF THE PAYMENTS DUE UNDER THE INSTALLMENT PURCHASE AGREEMENTS FROM ADJUSTED GROSS INCOME FOR GENERAL FEDERAL INCOME TAX PURPOSES UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED INCLUDING BUT NOT LIMITED TO, ACTIONS RELATING TO THE REBATE OF ARBITRAGE EARNINGS, IF APPLICABLE.
- ▶ 9. THE MAYOR, CITY CLERK, CITY ATTORNEY, FINANCE DIRECTOR, AND PUBLIC SERVICE DIRECTOR ARE HEREBY AUTHORIZED TO DO ALL ACTS AND THINGS AND, UPON THE ADVICE OF THE CITY ATTORNEY, TO EXECUTE ANY

DOCUMENTS OR CERTIFICATES AS MAY BE NECESSARY OR DESIRABLE TO DELIVER THE AFORESAID DOCUMENTS TO THE PARTIES AND TO EFFECTUATE THE TRANSACTIONS DESCRIBED THEREIN AND THE PURPOSES OF THIS RESOLUTION.

- ▶ 10. ALL RESOLUTIONS AND PARTS OF RESOLUTIONS IN SO FAR AS THEY CONFLICT WITH THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### EXHIBIT A

##### THE IMPROVEMENTS AND SITES THE IMPROVEMENTS BEING FINANCED:

1. CONSTRUCTION OF NEW FIRE STATIONS AND IMPROVEMENTS TO EXISTING FIRE STATIONS. THE CITY ATTORNEY WILL ATTACH THE DESCRIPTION OF THE SITES OF EACH FIRE STATION BEING CONSTRUCTED OR IMPROVED TO THIS EXHIBIT A WHEN AVAILABLE.
2. CONSTRUCTION OF A NEW FIRE DEPARTMENT TRAINING STATION, INCLUDING MODULAR CLASSROOMS, BLACKTOP, AND BURN ROOM AND EQUIPMENT. THE CITY ATTORNEY WILL ATTACH THE DESCRIPTION OF THE SITE OF THE FIRE DEPARTMENT TRAINING STATION TO THIS EXHIBIT A WHEN AVAILABLE.
3. CONSTRUCTION OF A NEW POLICE DEPARTMENT FIREARMS TRAINING RANGE, COMPOSED OF ONE OR MORE ENCLOSED OR SEMI-ENCLOSED CONCRETE BUILDINGS TOGETHER WITH NECESSARY SITE IMPROVEMENTS AND NECESSARY APPURTENANCES, ON ITS CURRENT SITE IN DEWITT TOWNSHIP. THE CITY ATTORNEY WILL ATTACH THE DESCRIPTION OF THE SITE OF THE POLICE DEPARTMENT FIREARMS TRAINING RANGE TO THIS EXHIBIT A WHEN AVAILABLE.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND COMPLETE COPY OF A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANSING, COUNTIES OF INGHAM AND EATON, MICHIGAN, AT A REGULAR MEETING HELD ON MONDAY, DECEMBER 8, 1997, AT 7:00 P.M. PREVAILING EASTERN TIME, AND THAT SAID MEETING WAS CONDUCTED AND PUBLIC NOTICE OF SAID MEETING WAS GIVEN PURSUANT TO AND IN FULL COMPLIANCE WITH THE OPEN MEETINGS ACT, BEING ACT 267, PUBLIC ACTS OF MICHIGAN, 1976, AND THAT THE MINUTES OF SAID MEETING WERE KEPT AND WILL BE OR HAVE BEEN MADE AVAILABLE AS REQUIRED BY SAID ACT 267.

IF THE ABOVE MEETING WAS A SPECIAL MEETING, I FURTHER CERTIFY THAT NOTICE OF SAID SPECIAL MEETING WAS GIVEN TO EACH MEMBER OF THE CITY COUNCIL IN ACCORDANCE WITH THE RULES OF PROCEDURE OF THE CITY COUNCIL.

I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS WERE PRESENT AT SAID MEETING: AND THAT THE FOLLOWING MEMBERS WERE ABSENT: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK. I FURTHER CERTIFY THAT MEMBER LILLY MOVED FOR ADOPTION OF SAID RESOLUTION. I FURTHER CERTIFY THAT THE FOLLOWING MEMBERS VOTED FOR ADOPTION OF SAID RESOLUTION: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK, AND THAT THE



FOLLOWING MEMBERS VOTED AGAINST ADOPTION OF SAID RESOLUTION: NONE.

### ORDINANCES FOR INTRODUCTION

#### INTRODUCTION OF ORDINANCE AMENDING CHAPTER 292, SECTION 292.28(C) EMPLOYEES RETIREMENT SYSTEM

BY COUNCILMEMBER BENAVIDES:

THAT AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 292, SECTION 292.28(C), FOR THE PURPOSE OF PROVIDING THAT SURVIVING SPOUSE BENEFITS SHALL CONTINUE IF THE SURVIVING SPOUSE REMARRIES, WAS INTRODUCED BY COUNCILMEMBER BENAVIDES AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES.

#### RESOLUTION #680 RESOLUTION SETTING PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR MONDAY, JANUARY 12, 1998 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, 10 FLOOR, CITY HALL, 124 W. MICHIGAN AVE., FOR THE PURPOSE OF CONSIDERING AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 292, SECTION 292.28(C) FOR THE PURPOSE OF PROVIDING THAT SURVIVING SPOUSE BENEFITS SHALL CONTINUE IF THE SURVIVING SPOUSE REMARRIES

INTERESTED PERSONS ARE INVITED TO ATTEND THIS PUBLIC HEARING

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1, (COUNCILMEMBER LILLY DISSENTING)

### ORDINANCES FOR PASSAGE

#### THE MOTION FOR ADOPTION OF THIS ORDINANCES WAS DEFEATED

BY COUNCILMEMBER LILLY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-14-

97; 233-235 N. PINE ST., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-14-97; 233-235 N. PINE ST., BE NOW PASSED

BY COUNCILMEMBER LILLY

TO CALL THE QUESTION ON THE ADOPTION OF THIS ORDINANCE TO A VOTE

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 2

THE MAIN MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BENAVIDES, LILLY

NAYS: COUNCILMEMBERS BAUER, BEAL, JONES, LEEMAN, NOVAK

ABSENT: NONE

#### THE MOTION FOR ADOPTION OF THIS ORDINANCES WAS DEFEATED

#### ORDINANCE #

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-14-97., 233-235 N. PINE ST.

PARCEL NUMBERS: PPN 3301-16-156-023

LEGAL DESCRIPTION: THE NORTH 44 FEET OF THE EAST 77 FEET OF LOT 1, BLOCK 91,



ORIGINAL PLAT, CITY OF LANSING,  
INGHAM COUNTY, MICHIGAN.

FROM "D-2" RESIDENTIAL/OFFICE TO "D-1" PROFESSIONAL  
OFFICE DISTRICT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES  
INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY  
REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY  
(30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE  
EFFECT BY THE CITY COUNCIL.

BY COUNCILMEMBER LILLY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
THAT THE ORDINANCE PROVIDING THAT THE CODE OF  
ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY  
PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY  
LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE  
REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION  
1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-18-  
97; VACANT PROPERTY ON COLLINS RD., BE PLACED ON  
ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
THAT THE ORDINANCE PROVIDING THAT THE CODE OF  
ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY  
PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY  
LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE  
REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION  
1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-18-  
97; VACANT PROPERTY ON COLLINS RD., BE NOW PASSED

YEAS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES,  
JONES, LEEMAN, LILLY, NOVAK

NAYS: COUNCILMEMBERS ALLEN, NOVAK

ABSENT: NONE

#### ORDINANCE #2418

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN,  
PROVIDING FOR THE REZONING OF A PARCEL OF REAL  
PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN  
AND FOR THE REVISION OF THE DISTRICT MAPS  
ADOPTED BY SECTION 1246.02 OF THE CODE OF  
ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND  
INCORPORATED AS SECTION 1246.02 OF THE CODE OF  
ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE

AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY  
DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-18-97, VACANT LAND ON  
COLLINS RD.

PARCEL NUMBERS: PPNs 3301-29-102-062  
(PART); 3301-29-102-091

LEGAL DESCRIPTION: PARCEL A: PART OF PPN 3301-  
29-102-062: A PART OF THE SOUTHWEST 1/4OF  
THE NORTHWEST 1/4 OF SECTION 36, T4N, CITY OF  
LANSING, INGHAM COUNTY, MICHIGAN, DESCRIBED AS  
COMMENCING AT THE WEST Y4COMER OF SAID SECTION  
36; THENCE S8926'28"E 1307.16 FEET ALONG THE  
EAST-WEST 1/4 LINE TO THE SOUTHEAST COMER OF THE  
SOUTHWEST 1/4OF THE NORTHWEST 1/4; THENCE  
N00'07'51"W 165.01 FEET ALONG THE EAST LINE  
OF THE SOUTHWEST Y4OF THE NORTHWEST 1/4 TO THE  
POINT OF BEGINNING; THENCE N8926'28"W 480.75  
FEET PARALLEL WITH THE EAST-WEST 1/4 LINE TO THE  
EASTERLY RIGHT OF WAY LINE OF HIGHWAY U.S. 127;  
THENCE N43'58'12"W 72.01 FEET ALONG SAID  
EASTERLY LINE; THENCE N53'05'26"E 328.97  
FEET; THENCE S89'26'28"E 173.74 FEET; THENCE  
S00'07'51"E 40.99 FEET; THENCE S8926'28"E  
90.60 FEET TO THE EAST LINE OF THE SOUTHWEST  
1/4 OF THENORTHWEST 1/4; THENCE S00'07'51"E  
206.74 FEET TO THE POINT OF BEGINNING CONTAINING  
2.303 ACRES OF LAND AND SUBJECT TO ANY  
EASEMENTS OR RIGHTS OF WAY OF RECORD

FROM "D-1" PROFESSIONAL OFFICE DISTRICT TO "F"  
COMMERCIAL DISTRICT, AND

PARCEL NUMBER: PARCEL B: PPN 3301-29-  
102-091:

LEGAL DESCRIPTION: 165 FT OF SW 1/4OF NW  
1/4E OF E R/W LINE I-496,  
SEC 36 T4N R2W

FROM "A" RESIDENTIAL DISTRICT TO "F" COMMERCIAL  
DISTRICT.

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES  
INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY  
REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY  
(30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE  
EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

#### **OTHER BUSINESS**

#### ► PUBLIC COMMENT ON CITY RELATED MATTERS



HELEN FISER OF 12100 S. CORK RD. IN MORRICE COMPLAINED THAT SHE IS STILL WAITING TO HEAR THE RESULTS OF HER STORM WATER ENTERPRISE FEE APPEAL.

BEVERLY MILLER OF 413 PEARL ASKED FOR MORE INFORMATION ON THE REQUEST FOR LIQUOR LICENSE TRANSFER BY DONALL.

WILLIAM HUBBELL OF 3916 WEDGEWOOD WISHED EVERYONE A MERRY CHRISTMAS AND GOOD LUCK WITH FESTEVE.

WILLY WILLIAMS OF 505 W. LENAWEE SAID THAT HE HAS TRIED TO PRESENT THE OPPOSITE, AND MAJORITY OPINION ON MAY OF THE ISSUES.

TOM LAFFERTY OF 1806 W. MICHIGAN ASKED ABOUT THE TIMETABLE FOR THE REPORT FROM THE ENGINEERING FIRM STUDYING THE STORMWATER FUNDING MECHANISM.

HAROLD KING OF 1563 N. HIGH ST. SAID THAT THE PROBLEMS WITH THE BOARD OF ZONING APPEALS ON THE LIQUOR LICENSE TRANSFER FOR DONNALLS WAS NOT REFLECTED IN THE RESOLUTION APPROVING THE TRANSFER.

ALBERTA JORDAN OF 1649 GREENCREST IN E. LANSING SPOKE REGARDING THE CONVICTION OF HER SON JUAN LEE.

CHRISTINE TIMMON OF 335 E. ST. JOSEPH ST. SAID THAT SHE IS PROUD OF COUNCILMEMBERS ALLEN, BENAVIDES AND LILLY FOR THEIR VOTES ON Z-14-97..

LYDD TEETS OF 116 E. ELM ST. THANKED COUNCIL FOR HONORING CHARLES DEMASSO.

### COMMITTEE REPORTS

#### RESOLUTION #681 REPORT OF COMMITTEE

THE DEVELOPMENT AND PLANNING COMMITTEE, TO WHOM WAS REFERRED Z-14-97., THE REQUEST BY MICHIGAN RETAILERS ASSOCIATION TO REZONE THE PROPERTY AT 233-235 N. PINE STREET FROM "D-2" RESIDENTIAL/OFFICE TO "D-1" PROFESSIONAL OFFICE DISTRICT.

THE COMMITTEE REVIEWED THE REQUEST AND THE RECOMMENDATION OF THE LANSING PLANNING BOARD.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT Z-14-97., THE REQUEST BY MICHIGAN RETAILERS ASSOCIATION TO REZONE THE PROPERTY AT 233-235 N. PINE STREET FROM "D-2" RESIDENTIAL/OFFICE TO "D-1" PROFESSIONAL OFFICE DISTRICT, ~~BE APPROVED~~ "BE RECEIVED".

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE COMMITTEE REPORT BE AMENDED TO STATE THAT THE COMMITTEE REPORT "BE RECEIVED", RATHER THAN APPROVED

CARRIED UNANIMOUSLY

#### RESOLUTION #682 REPORT OF COMMITTEE

THE DEVELOPMENT AND PLANNING COMMITTEE, TO WHOM WAS REFERRED Z-18-97, THE REQUEST BY GEORGE F. EYDE LTD. FAMILY PARTNERSHIP & LOUIS J. EYDE LTD. FAMILY PARTNERSHIP FOR A REZONING FROM "ALL RESIDENTIAL AND I'D-111 PROFESSIONAL OFFICE TO 'IF" COMMERCIAL DISTRICT FOR 4.124 ACRES LOCATED APPROXIMATELY 200 FEET NORTH OF DUNCKEL ROAD ON THE WEST SIDE OF COLLINS ROAD.

THE COMMITTEE REVIEWED THE REQUEST AND THE RECOMMENDATION OF THE LANSING PLANNING BOARD.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT Z-18-97, THE REQUEST BY GEORGE F. EYDE LTD. FAMILY PARTNERSHIP & LOUIS J. EYDE LTD. FAMILY PARTNERSHIP FOR A REZONING FROM "ALL RESIDENTIAL AND I'D-1" PROFESSIONAL OFFICE TO 'IF" COMMERCIAL DISTRICT FOR 4.124 ACRES LOCATED APPROXIMATELY 200 FEET NORTH OF DUNCKEL ROAD ON THE WEST SIDE OF COLLINS ROAD, ~~BE APPROVED~~ BE RECEIVED.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

TO AMEND THE COMMITTEE REPORT TO STATE THAT THE COMMITTEE RECOMMENDS THAT THE REPORT "BE RECEIVED" RATHER THAN "APPROVED"

CARRIED UNANIMOUSLY

#### RESOLUTION #683 REPORT OF COMMITTEE

THE COMMITTEE ON WAYS AND MEANS, TO WHOM WAS REFERRED THE ISSUE OF QUARTERLY AUDITS AND ANNUAL AUDITS BY THE INTERNAL AUDITOR.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THE INTERNAL AUDITOR SHALL REVIEW QUARTERLY AUDITS AND REPORT TO THE COUNCIL IF THERE IS ANYTHING WRONG. THE INTERNAL AUDITOR WILL REPORT TO THE COUNCIL IN WRITING ONLY ON HIS ANNUAL AUDITS.

SIGNED: HOWARD JONES, CHAIRPERSON  
RICK LILLY  
ELLEN BEAL



BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE RECEIVED

CARRIED UNANIMOUSLY

### **CITY OFFICER & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING LICENSES AND BONDS FOR APPROVAL

- FIREWORKS DISPLAY PERMIT; LARRY J. HOLLEY FOR THE PARKING LOT AT RANNY PARK ON DECEMBER 31, 1997 AT 12:00 A.M. (FESTEVE)

- TRANSFER OF STOCK IN CLASS C LIQUOR LICENSE WITH DANCE PERMIT FOR RAMON'S RESTAURANT, INC.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. LETTER FROM THE CITY CLERK SUBMITTING A REQUEST FOR TRANSFER OF OWNERSHIP OF A CLASS C LIQUOR LICENSE WITH DANCE PERMIT FOR DONALL ENTERTAINMENT, INC. AT 1247 CENTER ST.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

4. LETTER FROM THE CITY CLERK SUBMITTING THE PROPOSED SCHEDULE FOR THE REGULAR MEETINGS OF THE CITY COUNCIL FOR THE FIRST 6 MONTHS OF 1998

REFERRED TO THE COMMITTEE OF THE WHOLE

5. LETTERS FROM THE MAYOR RE:

A. LETTERS OF APPRECIATION FROM; BARRY B. BRISTOL AND MICHAEL W. KUCHAR TO THE LANSING POLICE DEPARTMENT

RECEIVED AND PLACED ON FILE

B. LETTER OF APPRECIATION FROM SGT. JOHN METTS, OF THE LANSING CHARTER TOWNSHIP POLICE DEPARTMENT TO OFFICER JANZEN OF LPD

RECEIVED AND PLACED ON FILE

C. LATE ITEM FROM COUNCILMEMBER BENAVIDES; A RESOLUTION REGARDING THE DEFERRED COMPENSATION PROGRAM

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

### **COMMUNICATIONS & PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM DARRYL BURGESS OF 1407 PROSPECT REGARDING THE SALE OF THE CIVIC ARENA AND THE DISPOSITION OF THE "GOLDEN DOCUMENT BOX" TIME CAPSULE

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. REQUEST FOR RECOGNITION OF NON-PROFIT STATUS FROM GLOBAL HOMEMAKERS OF 2010 E. MICHIGAN AVE.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES SUBMITTING A LIST OF REVISIONS THAT NEED TO BE MADE TO THE PROPOSED AMENDED PLAT OF OUTLOT A - S. PINES

REFERRED TO THE MAYOR AND THE PLANNING BOARD

4. PETITIONS SIGNED BY 78 RESIDENTS REQUESTING THAT CITY COUNCIL PROHIBIT THE IMPLEMENTATION OF ANY PLAN OR MEASURE TO CHANGE THE TRAFFIC FLOW THROUGH THE NEIGHBORHOOD BOUNDED BY WESTWOOD AVE., SHADY OAK LANE, MARTIN LUTHER KING BLVD., AND GRAND RIVER AVE.

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

5. LETTER FROM THE SOUTH LANSING BUSINESS ASSOCIATION STATING THEIR CONCERN OVER THE PROVISIONS OF THE PROPOSED AMENDMENT TO THE SIGN CODE FOR BILLBOARD REQUIREMENTS AND REQUESTING FURTHER DELAY AND FURTHER CONSIDERATION OF THE ISSUE

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

6. LETTER FROM DICK & HELEN FISER REGARDING THEIR APPEAL OF THEIR 1995 STORMWATER ENTERPRISE FEE, AND THE PLACEMENT OF THE DELINQUENT FEE ONTO THEIR TAX BILL

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

7. LETTERS FROM CHRISTINE TIMMON OF 335 E. ST. JOSEPH RE: THE PHIL ARTHURHOLTZ RADIO SHOW; HISTORIC HOUSING STOCK IN LANSING; CABLE CASTING GRANT AWARDS

RECEIVED AND PLACED ON FILE

8. LATE ITEM FROM COUNCILMEMBER BENAVIDES; A LETTER FROM THE LAW FIRM OF BROOKOVER & FLEISCHMAN STATING THEIR OPPOSITION TO Z-14-97.



RECEIVED AND PLACED ON FILE

9. LATE ITEM FROM COUNCILMEMBER BENAVIDES; A REQUEST FOR COMMUNITY PROMOTIONS FUNDS FOR A CHRISTMAS SYMPOSIUM BY THE CAPITOL AREA HISPANIC COMMUNITY

REFERRED TO THE COMMITTEE OF THE WHOLE

**COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BEAL COMMENTED ON THE BENEFITS OF LIVING DOWNTOWN, ONE OF THEM BEING THAT IT GIVES HER THE ABILITY TO WALK TO MANY EVENTS.

**MAYOR'S EXECUTIVE ASSISTANT'S  
RESPONSE TO COMMENTS**

MR. WIENER THANKED MR. DEMASO FOR HIS MANY CONTRIBUTIONS TO THE CITY, AND THE FINANCE DEPARTMENT EMPLOYEES FOR THE FINE WORK THEY DO. HE ANNOUNCED THAT THE KFC CORPORATION WILL PRESENT A GRANT TOT HE WALNUT NEIGHBORHOOD ORGANIZATION TOMORROW.

**ADJOURNED 9:50 P.M.**  
**MARILYNN SLADE, CITY CLERK**



LANSING, MICHIGAN

**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF DECEMBER 15, 1997**

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CITY COUNCIL CHAMBERS  
LANSING, MICHIGAN

THE CITY COUNCIL OF THE CITY OF LANSING MET IN  
REGULAR SESSION AND WAS CALLED TO ORDER AT  
7:00 P.M. BY PRESIDENT BEAL.

PRESENT: COUNCILMEMBERS ALLEN, BAUER, BEAL,  
BENAVIDES, JONES, LEEMAN, LILLY,  
NOVAK

ABSENT: NONE

THE INVOCATION AND PLEDGE OF ALLEGIANCE WERE  
LED BY COUNCILMEMBER ALLEN AND SANTA CLAUS

**APPROVAL OF MINUTES**

BY COUNCILMEMBER ALLEN

TO APPROVE THE PRINTED COUNCIL PROCEEDINGS OF  
NOVEMBER 24, AND DECEMBER 1, 1997

CARRIED UNANIMOUSLY

**CONSIDERATION OF LATE ITEMS**

BY COUNCILMEMBER ALLEN

TO ACCEPT THE FOLLOWING UNDER SUSPENSION OF  
THE RULES:

1. FROM COUNCILMEMBER ALLEN; A LETTER FROM  
ANN SPENCER REGARDING OPERATIONS AND  
MAINTENANCE ACTIVITIES WITH CITY TRUCKS

2. FROM COUNCILMEMBER LILLY; A REQUEST THAT  
THE PUBLIC HEARING ON THE INDUSTRIAL FACILITIES  
EXEMPTION CERTIFICATE FOR ATMOSPHERE ANNEALING  
BE PULLED FROM THE AGENDA DUE TO IMPROPER  
NOTICE TO SURROUNDING RESIDENTS

CARRIED UNANIMOUSLY

(LATE ITEMS WILL BE CONSIDERED DURING THAT  
PART OF THE REGULAR MEETING TO WHICH THEY  
RELATE)

**SPECIAL CEREMONIES &  
ANNOUNCEMENT OF CITY EVENTS**

► ANNOUNCEMENT OF CITY EVENTS:

COUNCILMEMBER LEEMAN URGED RESIDENTS TO TAKE

ADVANTAGE OF THE SHOPPING POSSIBILITIES AT THE  
CITY MARKET IN THE NEXT FEW WEEKS. HE INVITED  
SANTA CLAUS TO ADDRESS THE AUDIENCE REGARDING  
HOLIDAY CHEER AND THE TRUE MEANING OF  
CHRISTMAS.

SANTA DESCRIBED THE PERSONAL TRAGEDIES AND  
TRIUMPHS OF HENRY WADSWORTH LONGFELLOW IN  
1861, THE YEAR THAT HE WROTE "I HEARD THE  
BELLS ON CHRISTMAS DAY" THAT WAS THE YEAR HIS  
WIFE DIED, AND THE YEAR THAT THE CIVIL WAR BEGAN.  
HE READ MR. LONGFELLOWS TRIBUTE TO CHRISTMAS.

COUNCILMEMBER JONES SAID THAT THE U.S. IS DOWN  
TO HAVING ONLY FOUR (4) RAILROAD COMPANIES IN  
OPERATION. IN JULY THE FEDERAL TRANSPORTATION  
BOARD WILL DECIDE THE ISSUE OF SPLITTING THE  
STOCK IN ONE OF THE REMAINING RAILROAD  
COMPANIES, AND WHO GETS TO BUY IT. MANY PEOPLE  
IN THIS INDUSTRY ARE VERY CONCERNED ABOUT THIS  
SPLIT. HE HOPES THAT THE CITY WILL BECOME  
INVOLVED IN THIS ISSUE. HE NOTED THAT THEY HAVE  
HAD PROBLEMS WITH THE MERGER BETWEEN THE UNION  
PACIFIC AND THE SOUTHERN PACIFIC RAILROADS IN THE  
WEST. THE MERGER OF COMPETING RAILROAD LINES  
MEANS THAT COMPETITION IS ELIMINATED. THIS SHOULD  
BE OF CONCERN TO CITY COUNCIL.

MAYOR HOLLISTER COMMENDED THE SERVICES AND  
SACRIFICES OF THOSE COUNCILMEMBERS SERVING AT  
THEIR LAST COUNCIL MEETING TONIGHT. THIS KIND OF  
SERVICE TAKES A BIG TOLL ON A PERSONS PRIVATE  
LIFE. HE THANKED COUNCILMEMBER LILLY FOR THE  
BALLPARK, COUNCILMEMBER JONES FOR PROJECT  
PLAY, AND COUNCILMEMBER NOVAK FOR THE HOUSING  
PROJECTS. HE INVITED EVERYONE TO WASHINGTON  
PARK THIS WEDNESDAY, DECEMBER 17, 1997 FOR  
THE REGIONAL HOCKEY ASSOCIATION'S DEDICATION OF  
THE RECONSTRUCTED WARMING HOUSE. HE  
ANNOUNCED THAT FLOODING OF THE INFIELD AT  
OLDSMOBILE PARK HAS BEGUN, AND WITH THE  
COOPERATION OF MOTHER NATURE, THIS RINK SHOULD  
BE OPEN FOR SKATING THE DAY AFTER CHRISTMAS.

THE MAYOR DESCRIBED THE "WONDERFUL ACTIVITIES"  
PLANNED FOR FESTEVE, THE ALCOHOL FREE NEW  
YEARS EVE CELEBRATION THAT IS CO-SPONSORED BY  
THE CITY OF LANSING AND THE CITY OF EAST LANSING.  
NEW YEARS DAY WILL SEE THE INAUGURATION OF NEW  
COUNCILMEMBERS, THE MAYOR AND THE CITY CLERK  
AT 12:00 P.M. AT THE LANSING CENTER, WITH AN  
OPEN HOUSE IMMEDIATELY FOLLOWING. THIS EVENT IS  
OPEN TO THE PUBLIC. HE ANNOUNCED THAT THE  
POTTER PARK WONDERLAND OF LIGHTS HAS SEEN 14,



461 VISITORS SO FAR THIS SEASON. THIS IS A WONDERFUL LUMINARY DISPLAY AND EVERYONE SHOULD GO SEE IT. HE INTRODUCED NANCY ERICKSON OF THE LANSING SCHOOL BOARD AND ASKED THAT SHE BE ALLOWED TO MAKE A PRESENTATION TO OUTGOING COUNCILMEMBERS.

MRS. ERICKSON EXPRESSED THE SCHOOL BOARDS APPRECIATION AND GRATITUDE TO COUNCILMEMBERS JONES, LILLY AND NOVAK. SHE PRESENTED A PLAQUE TO COUNCILMEMBER JONES COMMEMORATING HIS EXEMPLARY SERVICE TO THE COMMUNITY AND HIS CONTINUING COMMITMENT TO THE CHILDREN OF THE LANSING SCHOOL DISTRICT, THROUGH PROJECT PLAY, HIS CO-CHAIRMANSHIP OF THE COMMITTEE ON STUDENT ACHIEVEMENT, SUPPORT OF THE LEAF PROGRAM AND ADVOCACY OF ADULT EDUCATION.

► SPECIAL CEREMONIES

THERE WERE NO SPECIAL CEREMONIES

**PUBLIC'S AND MAYOR'S COMMENT  
ON LEGISLATIVE MATTERS**

► PUBLIC COMMENT ON SCHEDULED PUBLIC  
HEARINGS:

1. IN CONSIDERATION OF THE ISSUANCE OF AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE TO ATMOSPHERE ANNEALING, INC. OF 1801 BASSETT ST.

THIS PUBLIC HEARING WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY UNDER SUSPENSION OF THE RULES, THEREFORE, COMMENT ON THIS PROPOSAL WAS NOT ACCEPTED.

► PUBLIC COMMENT ON LEGISLATIVE MATTERS:

AMY MOORE OF 1410 SHELDON STATED HER SUPPORT OF A BAN ON TOBACCO BILLBOARDS IN LANSING. SHE STATED THAT 90% OF THE TOBACCO BILLBOARDS IN INGHAM COUNTY ARE LOCATED IN THE CITY OF LANSING. SHE WOULD LIKE TO SEE THE ORDINANCE AMENDED TO BAN SMOKELESS TOBACCO PRODUCTS, AS WELL AS CIGARETTES. SHE RECITED STATISTICS ON TOBACCO USE.

WILLIAM HUBBELL OF 3916 WEDGEWOOD SAID THAT THE BILLBOARD ORDINANCE LOOKS MORE LIKE A LEGAL BRIEF THAN A CODE OF CONDUCT. IT REMINDS HIM OF SEVERAL DISCUSSIONS HE HAS HEARD TAKE PLACE BETWEEN COUNCILMEMBERS LILLY AND NOVAK.

ROGER MARTIN OF 861 W. DANSVILLE RD. IN MASON, SPEAKING ON BEHALF OF THE OUTDOOR ADVERTISING ASSOCIATION OF MICHIGAN, SAID THAT THEY PROVIDE BUSINESS TO 8,600 COMPANIES WHO EMPLOY 46,000 PEOPLE IN MICHIGAN. THEY VOLUNTARILY

POLICE THEMSELVES AND REFUSE TO PLACE TOBACCO ADS WITHIN 500 FEET OF SCHOOLS AND CHURCHES. THEY STAND OPPOSED TO A GOVERNMENT ATTEMPT TO BAN ADVERTISING OF LEGAL PRODUCTS, INCLUDING TOBACCO AND TOBACCO BILLBOARDS. THIS LEGISLATION WILL CREATE SERIOUS ISSUES AND VIOLATE FEDERAL LAWS, LIKE THE FIRST AMENDMENT.

SUSAN CADY OF 1417 SOMERSET CLOSE IN E. LANSING URGED COUNCILMEMBERS TO AMEND THE ORDINANCE TO INCLUDE ALL TOBACCO BILLBOARDS NOT JUST CIGARETTES. SHE RECITED STATISTICS ON SMOKELESS TOBACCO USE.

BOBBIE MARGOLIS OF OKEMOS SAID THAT SHE TEACHES DRUG EDUCATION. VISUALS TEACH YOUNG PEOPLE. TOBACCO BILLBOARDS MARKET PRODUCTS THAT ARE ILLEGAL FOR CHILDREN UNDER 18. SHE ADVOCATED AN AMENDMENT THAT WOULD INCLUDE SMOKELESS TOBACCO PRODUCTS IN THE BILLBOARD BAN.

ANDY BURCH OF 126 SNYDER HALL IN E. LANSING, A STUDENT AT MSU, SAID THAT HE HAS WORKED WITH MS. MARGOLIS AND HER GROUP FOR THE PAST FOUR YEARS. THE LAWSUIT THAT HAS BEEN THREATENED WILL NOT COST THE CITY ANY MORE THAN DRUG USE PREVENTION MEASURE WILL COST THEM FURTHER DOWN THE ROAD FOR TODAY'S YOUTHS.

FRANK CURTIS "X", NO ADDRESS GIVEN, SAID THAT AMERICA ADVERTISES EVERYTHING. THIS IS ONE OF OUR FIRST AMENDMENT RIGHTS. PEOPLE HAVE A RIGHT TO ADVERTISE THEIR PRODUCTS. IT IS UP TO PARENTS TO TEACH THEIR KIDS TO STAY AWAY FROM PRODUCTS THAT ARE BAD FOR THEM. NOBODY SHOULD TRY TO STOP LEGAL ADVERTISEMENTS. HE SUPPORTS THE RIGHTS OF ADVERTISERS. HE HAS A BIG STAKE IN THIS ISSUE, BECAUSE IT IS MESSING WITH FIRST AMENDMENT RIGHTS. COUNCIL IS JUST SPINNING THEIR WHEELS.

STEVE SPRINGER OF 2117 ROLLING BROOK IN E. LANSING SAID THAT HE IS AFFILIATED WITH THE AMERICAN LUNG ASSOCIATION OF MICHIGAN AT 403 SEYMOUR ST. IN LANSING. THEY HAVE INFORMATION FROM THE AMERICAN ACADEMY OF PEDIATRICS. IT IS TIME TO SAY NO TO TOBACCO BILLBOARDS. IT IS TIME TO STOP KIDS FROM BEING TARGETED BY THE ADVERTISING OF FALSE IMAGES. TOBACCO COMPANIES ARE ENCOURAGING CHILDREN TO BECOME ADDICTS. MAKE NO MISTAKES, THEY ARE AWARE OF WHAT THEY ARE DOING. THIS IS NOT AN ISSUE OF FREE SPEECH, IT IS ABOUT CHILDREN BEING A COMMODITY. WE NEED A TOTAL BAN ON TOBACCO BILLBOARDS.

RICK IMSHAUG OF 5218 MADISON IN OKEMOS, HERE ON BEHALF OF SKYLINE OUTDOOR ADVERTISING, STATED HIS OPPOSITION TO THE ORDINANCE IN THE CURRENT FORM. HE ASKED THAT IT BE SENT BACK TO



COMMITTEE FOR FURTHER THOUGHT AND ANALYSIS. HE HAS TWO ISSUES WITH IT, ONE OF WHICH IS THE USE OF TOBACCO BY YOUNG KIDS, AND THE OTHER WHICH IS BILLBOARD REGULATION. IT IS IMPORTANT FOR REGULATORY BODIES TO UNDERSTAND THAT WHICH THEY REGULATE. THIS COUNCIL CANNOT SAY THAT. THEY HAVE NOT DONE ANY RESEARCH ON THIS ISSUE. THE PUBLIC RESPONSE WILL SUPPORT THAT OF BUSINESS. THE PROPOSED ORDINANCE IS ANTI BUSINESS, ANTI CONSUMER AND ANTI LANSING. BILLBOARDS ARE AN EXTENSION OF THE BUSINESS COMMUNITY. COUNCIL SHOULD BE CONCERNED ABOUT WHAT THIS WILL DO TO THE CITY. THERE IS NO SUPPORT FROM THE PEOPLE FOR WHAT COUNCIL IS ATTEMPTING TO DO. THEY NEED TO SLOW THIS PROCESS DOWN AND LOOK AT WHAT THEY ARE DOING.

DR. MARK JOHNSTON OF 3640 DEERFIELD SAID THAT HE IS A DENTIST IN LANSING, AND URGED COUNCIL TO INCLUDE SMOKELESS TOBACCO IN THE BILLBOARD BAN. HE QUOTED STATISTICS ON SMOKELESS TOBACCO.

HELEN FISER 12100 S. CORK IN MORRICE CRITICIZED COUNCILMEMBER BENAVIDES FOR FAILING TO PULL THE STORM WATER ENTERPRISE APPEAL OF MR. GRABOWSKI FROM THE AGENDA. SHE STATED HER DISAGREEMENT WITH THIS RESOLUTION AND WITH THE REDUCTIONS APPROVED BY THE COMMITTEE. THERE ARE DIRECTIVES THAT THE CITY WAS TO HAVE FOLLOWED IN FORMULATING THE SETTLEMENT AGREEMENT. MR. GAMBLE DID NOT FOLLOW THE DIRECTIVES. HE DID NOT PERSONALLY INSPECT THIS PROPERTY, NOR DID HE GET ADJUSTED FIGURES. SHE URGED COUNCIL NOT TO ADOPT THIS RESOLUTION.

LLOYD TEETS OF 116 E. ELM ST. SAID THAT HE IS UNWILLING TO TRAMPLE ON FIRST AMENDMENT RIGHTS. HE CONSIDERS HIMSELF TO BE A "DO GOODER." HE URGED COUNCIL NOT TO ADOPT THIS ORDINANCE. IT COULD PUT THEM IN COURT. IT IS A STOP-GAP MEASURE AT BEST. HE SPOKE REGARDING THE RESOLUTION AUTHORIZING THE PURCHASE OF A PARCEL OF PROPERTY ON MILLER RD. HE STATED HIS OPPOSITION TO THE RESOLUTION SETTING A PUBLIC HEARING ON THE SALE OF PROPERTY BY THE BOARD OF WATER & LIGHT. THIS IS THEIR ADMINISTRATIVE BUILDING THAT IS PROPOSED FOR SALE. THIS VIOLATES ARTICLE 5-207 OF THE CITY CHARTER, WHICH SAYS THAT 3/5 OF THE VOTERS MUST APPROVE THE SALE OF THIS PROPERTY. THE BOARD DOES NOT HAVE ANOTHER ADMINISTRATIVE BUILDING. THIS IS THE ONLY ADMINISTRATIVE BUILDING THEY HAVE, THEREFORE IT IS NOT SURPLUS PROPERTY AND IS REQUIRED FOR THEIR OPERATIONS, MAKING IT SUBJECT TO THE PROVISIONS OF THE CHARTER. THE BOARD HAS THE AUTHORITY TO BUILD A NEW ADMINISTRATIVE BUILDING, AND THEN DECLARE THIS BUILDING AS SURPLUS. HOWEVER, THEY DID NOT DO THAT. HE ASKED FOR INFORMATION RELATIVE TO THE COST OF A NEW ADMINISTRATIVE

BUILDING ON THE TAX PAYERS.

CITY ATTORNEY SMIERTKA ASKED DR. JOHNSTON QUESTIONS ABOUT HIS DENTAL PRACTICE IN THE CITY OF LANSING, IE., HOW LONG HAS HE BEEN PRACTICING DENTISTRY IN LANSING. DR. JOHNSTON RESPONDED THAT HE HAS BEEN PRACTICING IN LANSING SINCE 1985. MR. SMIERTKA ASKED HIM IF HE SERVES MINORS IN LANSING UNDER THE AGE OF 18. DR. JOHNSTON ANSWERED IN THE AFFIRMATIVE, HE TREATS PATIENTS FROM THE AGES OF 2 YEARS OF AGE TO 102 YEARS OF AGE. MR. SMIERTKA ASKED DR. JOHNSTON IF HE WERE FAMILIAR WITH THE TERM "SMOKELESS TOBACCO?" DR. JOHNSTON ANSWERED IN THE AFFIRMATIVE. MR. SMIERTKA ASKED DR. JOHNSTON WHAT THAT TERM MEANS. DR. JOHNSTON RESPONDED THAT IT DEFINES ANY TOBACCO THAT IS PLACED IN THE MOUTH AND LEFT AT REST THERE TO GET THE BENEFIT OF NICOTINE. MR. SMIERTKA ASKED DR. JOHNSTON IF HE HAS HAD ANY OCCASION TO OBSERVE CHILDREN IN THE CITY OF LANSING THAT USE SMOKELESS TOBACCO PRODUCTS. DR. JOHNSTON ANSWERED IN THE AFFIRMATIVE. TOBACCO, HE SAID, HAS A VERY DELETERIOUS AFFECT ON THE TEETH AND GUMS OF USERS. STUDENTS PLACE SMOKELESS TOBACCO IN THE MOUTH DURING CLASS TIME, BECAUSE THERE IS NO EVIDENCE OF ITS PRESENCE. THEY DO NOT HAVE TO GO OUTSIDE TO SMOKE. THE SMOKELESS TOBACCO CANNOT BE SEEN. SOME KIDS GO SO FAR AS TO SWALLOW THE SPIT AND GET "HIGH" OFF OF IT. MR. SMIERTKA ASKED IF THESE KIDS ENGAGE IN PHYSICAL ACTIVITIES IN CLASS TYPE SYSTEMS. DR. JOHNSTON ANSWERED, SAYING THAT BASEBALL PLAYERS TYPICALLY BEGIN USING SMOKELESS TOBACCO IN HIGH SCHOOL. HE TRIED IT HIMSELF, AS A MEMBER OF THE BASEBALL TEAM. BASED ON HIS EXPERIENCES, HE HAS FORMED OPINIONS ON THE USE OF SMOKELESS TOBACCO BY YOUTHS IN THE CITY OF LANSING. THIS USE IS HIGHER THAN HE WOULD HAVE THOUGHT AND HIGHER THAN MOST PEOPLE WOULD CREDIT. HE HAS NOT DONE ANY STATISTICAL STUDIES, HE CAN ONLY SAY WHAT HE HAS SEEN IN HIS OWN OFFICE. IN HIS PRACTICE, HE WOULD ESTIMATE THAT 10-15% OF THE KIDS USE, OR HAVE USED, SMOKELESS TOBACCO.

DAN HENRY OF 5500 AURELIUS RD. IN LANSING SAID THAT HE IS A LANSING BASED BEER DISTRIBUTOR. HE IS HERE TO TALK ABOUT THE BILLBOARD ORDINANCE. WHAT IS GOOD FOR LANSING BASED BUSINESSES IS GOOD FOR THE CITY OF LANSING. IT IS CURRENTLY QUITE EXPENSIVE TO DO BUSINESS IN THE CITY OF LANSING COMPARED TO SURROUNDING COMMUNITIES. CONSUMER PRODUCT DISTRIBUTION CENTERS ARE NOT MOVING TO LANSING. IN FACT, THEY ARE LEAVING LANSING AND GOING TO INDIANA, DETROIT AND GRAND RAPIDS. THESE BUSINESSES, THEIR INVESTMENTS, AND THEIR EMPLOYEES ARE NOT IN LANSING. NEITHER ARE THEIR TAXES. IT IS IMPORTANT THAT LANSING HAVE A STRONG BASE AND ATTRACTIVE CITY WHERE BUSINESS



WANT TO MOVE. BILLBOARD ADVERTISING IS THE LEAST EXPENSIVE MEDIUM IN THE ADVERTISING BUSINESS. THIS LEGISLATION IS TAKING AWAY, OR LIMITING RETAILERS ABILITY TO ADVERTISE ON BILLBOARDS. BILLBOARD ADVERTISING IS AN INTEGRAL PART OF THEIR BUSINESS.

## LEGISLATIVE MATTERS

### RESOLUTIONS

#### RESOLUTION #683

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CLERK HAS FORWARDED AN APPLICATION FOR A CITY PERMIT, WHICH HAS BEEN ROUTINELY PROCESSED WITHOUT OBJECTION AND IS READY FOR FINAL ACTION BY THIS COUNCIL; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE FOLLOWING APPLICATION FOR A CITY PERMIT FOR:

FIREWORKS DISPLAY PERMIT: LARRY HOLLEY  
DECEMBER 31,  
1997 OLDSMOBILE  
PARK

BY COUNCILMEMBER BENAVIDES

TO AMEND THE RESOLUTION TO STATE THAT THE FIREWORKS DISPLAY PERMIT IS ISSUED TO LARRY HOLLEY FOR DECEMBER 31, 1997 AT RANNEY PARK, RATHER THAN OLDSMOBILE PARK, AND TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION AS AMENDED

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL ABSENT AND  
UNEXCUSED FOR THIS VOTE)

#### RESOLUTION #684

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE GLOBAL HOPEMAKERS, INC. HAS REQUESTED A RESOLUTION OF RECOGNITION AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY FOR THE PURPOSE OF OBTAINING A GAMING LICENSE;

WHEREAS, THE CITY ATTORNEY HAS REPORTED THAT, BASED ON A REVIEW OF THE DOCUMENTATION SUBMITTED, THE APPLICANT QUALIFIES AS A NONPROFIT

ORGANIZATION;

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY RECOGNIZES THE GLOBAL HOPEMAKERS, INC. AS A NON-PROFIT ORGANIZATION OPERATING IN THE LANSING COMMUNITY.

BY COUNCILMEMBER BENAVIDES

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (COUNCILMEMBER BEAL ABSENT AND  
UNEXCUSED FOR THIS VOTE)

#### RESOLUTION #685

BY COUNCILMEMBER RICK LILLY  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE BOARD OF WATER AND LIGHT (BOARD OF WATER & LIGHT) HAS RECEIVED AN OPTION TO PURCHASE AGREEMENT FOR THE SALE OF THE BOARD OF WATER AND LIGHT MAIN OFFICE BUILDING AT 123 W. OTTAWA STREET AND 221 N. CAPITOL AVENUE PARKING LOT FROM CAPITOL OUTLOOK, LLC AND;

WHEREAS, THE BOARD OF WATER & LIGHT BOARD OF COMMISSIONERS APPROVED RESOLUTION 97-12-1, OPTION TO PURCHASE AGREEMENT WITH CAPITOL OUTLOOK, LLC ON THURSDAY, DECEMBER 11, 1997; AND

WHEREAS, THE SALE OF THE PROPERTY MUST BE APPROVED BY THE LANSING CITY COUNCIL;

NOW THEREFORE BE IT RESOLVED THAT THE LANSING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MONDAY, JANUARY 12, 1997 AT 7 P.M. IN THE CITY CHAMBERS, TENTH FLOOR, LANSING CITY HALL, 124 WEST MICHIGAN AVENUE, LANSING, MICHIGAN, TO CONSIDER THE FOLLOWING SALE OF PROPERTY:

#### PROPERTY DESCRIPTION OF 123 WEST OTTAWA STREET

A PART OF LOTS 3, 4 AND 5 OF BLOCK 101, ORIGINAL PLAT OF THE CITY OF LANSING, L.2. PP 36-38. INGHAM COUNTY PLATS, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 101, ORIGINAL PLAT OF CITY OF LANSING; THENCE ALONG THE NORTH LINE OF BLOCK 101, EAST 198 FT., MORE OR LESS, TO THE NORTHEAST CORNER OF LOT 3; THENCE ALONG THE EAST LINE OF LOT 3, SOUTH 136 FT., MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 3; THENCE ALONG A LINE PARALLEL TO THE NORTH LINE OF BLOCK 101, WEST 16 FT., MORE



OR LESS; THENCE ALONG A LINE PARALLEL TO THE EAST LINE OF LOT 3, NORTH 25 FT., MORE OR LESS; THENCE ALONG A LINE PARALLEL TO THE NORTH LINE OF BLOCK 101, WEST 24 FT., MORE OR LESS; THENCE ALONG A LINE PARALLEL TO THE EAST LINE OF LOT 3, NORTH 6 FT., MORE OR LESS; THENCE ALONG A LINE PARALLEL TO THE NORTH LINE OF BLOCK 101, WEST 158 FT., MORE OR LESS, TO THE WEST LINE OF LOT 5 - THENCE ALONG THE WEST LINE OF LOT 5, NORTH 105 FT., MORE OR LESS, TO THE NORTHWEST CORNER OF LOT 5, AND THE POINT OF THE BEGINNING OF THIS DESCRIPTION, CONTAINING 21,430 SQ. FT. OF LAND, MORE OR LESS.

PROPERTY DESCRIPTION OF 221 N. CAPITOL AVENUE  
PARKING LOT

A PARCEL PROPERTY LOCATED AT 221 NORTH CAPITOL AVENUE, LANSING, MICHIGAN AND CONTAINING APPROXIMATELY 36 SURFACE PARKING SPACES.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

RESOLUTION #686  
BY THE COMMITTEE ON  
DEVELOPMENT AND PLANNING  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING ANALYZED A PROPOSED ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1442, SECTION 1442.22 FOR THE PURPOSE OF AMENDING THE BILLBOARD PROVISION OF THE SIGN CODE; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING REVIEWED THE CONCERNS THE PUBLIC RAISED AT THE PUBLIC HEARING ON MONDAY, NOVEMBER 24, 1997 AND HEALTH STUDIES, POLICE AND SCHOOL DATA REGARDING UNDERAGE USE OF TOBACCO AND ALCOHOL AND ANALYZED MAPS AND THE EXISTING BILLBOARDS IN THE CITY OF LANSING; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING MODIFIED THE PROPOSED ORDINANCE IN RESPONSE TO SOME OF THOSE CONCERNS; AND

WHEREAS, THE COMMITTEE ON DEVELOPMENT AND PLANNING BELIEVES THAT ADDITIONAL CHANGES ARE WARRANTED; AND

NOW, THEREFORE, BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY ESTABLISHES THE AUTHORITY FOR THE PRESIDENT OF THE LANSING CITY COUNCIL TO CREATE AN AD HOC COMMITTEE ON BILLBOARDS, THAT WILL REPORT TO THE LANSING CITY COUNCIL WITHIN SIX MONTHS ON ITS EVALUATION OF:

- ▶ FURTHER RESTRICTIONS ON TOBACCO AND ALCOHOL BILLBOARDS
- ▶ OPTIONS TO IMPROVE VISUAL AESTHETICS AND REDUCE CLUTTER MODIFYING THE DEFINITIONS OF "ON PREMISE" AND "OFF PREMISE"
- ▶ PROVIDING GREATER INPUT FROM NEIGHBORS ON PLACEMENT OF BILLBOARDS
- ▶ ANY OTHER ISSUE THAT MAY ARISE DURING THE COURSE OF THE EVALUATION; AND

BE IT FURTHER RESOLVED, THE PRESIDENT WILL PRESENT THE NAMES THE MEMBERS OF THE AD HOC COMMITTEE TO THE LANSING CITY COUNCIL BY JANUARY 20, 1998 THAT WILL INCLUDE THE CHAIRPERSON OF THE DEVELOPMENT AND PLANNING COMMITTEE AND

- ▶ ONE OUTDOOR ADVERTISING REPRESENTATIVE
- ▶ ONE SCENIC MICHIGAN/MUCC REPRESENTATIVE
- ▶ TWO LANSING BUSINESS COMMUNITY REPRESENTATIVES
- ▶ TWO PUBLIC HEALTH ADVOCACY GROUP REPRESENTATIVES
- ▶ TWO NEIGHBORHOOD ASSOCIATION REPRESENTATIVES
- ▶ AND ADDITIONAL REPRESENTATIVES AS THE PRESIDENT DEEMS ARE NEEDED.

BY COUNCILMEMBER LILLY

TO ACCEPT A SUBSTITUTE RESOLUTION FOR THE ORIGINAL RESOLUTION CONTAINED IN THE CITY COUNCIL PACKET, AND TO PLACE AN AFFIRMATIVE ROLL ON THE SUBSTITUTE RESOLUTION

CARRIED UNANIMOUSLY

THIS RESOLUTION WAS PULLED FROM THE AGENDA  
AT THE REQUEST OF COUNCILMEMBER BENAVIDES  
BY THE COMMITTEE ON GENERAL SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, AT A MEETING OF THE GENERAL SERVICES COMMITTEE HELD ON DECEMBER 11, 1997, THE COMMITTEE CONSIDERED THE APPEAL OF GEORGE GRABOWSKI, OF THE AMOUNT OF THE STORMWATER ENTERPRISE FEE ASSESSED WITH RESPECT TO PARCEL No.3305-03-126-071-7; COMMONLY KNOWN AS 1434 EAST JOLLY ROAD, LANSING, MICHIGAN; AND

WHEREAS, THE COMMITTEE HEARD FROM A REPRESENTATIVE OF THE PUBLIC SERVICE DEPARTMENT WITH RESPECT TO THE RESULTS OF ITS INVESTIGATION OF PARCEL No.3305-03-126-071-7 AND ITS REVIEW OF THE PRELIMINARY APPEAL OF GEORGE GRABOWSKI WITH RESPECT TO THE STORMWATER ENTERPRISE FUND FEE BILLED TO THE DESCRIBED PROPERTY; AND



WHEREAS, THE COMMITTEE IS OF THE OPINION THAT THERE IS SUBSTANTIAL EVIDENCE ON THE RECORD AS A WHOLE THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3305-03-126-071-7 IS WARRANTED; AND

WHEREAS, THE MEMBERS OF THE COMMITTEE VOTED UNANIMOUSLY THAT A REDUCTION BASED ON THE AMOUNT OF CONTRIBUTION TO THE SYSTEM FROM THE STORMWATER ENTERPRISE FUND FEE AND CREDIT FOR PAYMENT OF SPECIAL ASSESSMENT ARE WARRANTED;

NOW THEREFORE BE IT RESOLVED, THAT THE AMOUNT OF THE STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3305-03-126-071-7 BE REDUCED FROM \$9,078.67 TO \$5,067.46 AND BE CREDITED FOR SPECIAL ASSESSMENTS PAID IN 1995 AND 1996 AND THAT, IN THE REDUCTIONS, REIMBURSEMENTS BE GENERATED BY THE ADMINISTRATION;

BE IT FINALLY RESOLVED, THAT ANY AMOUNT PAID BY GEORGE GRABOWSKI AS THE 1995 STORMWATER ENTERPRISE FUND FEE WITH RESPECT TO PARCEL NO. 3305-03-126-071-7 THAT WARRANTS REIMBURSEMENT OR CREDIT BE MADE WITHIN THIRTY (30) DAYS OF THE PASSAGE OF THIS RESOLUTION.

#### RESOLUTION #687

BY THE COMMITTEE ON PUBLIC SERVICES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, 570 LF OF 8" SANITARY SEWER EXISTS ON THE PROPERTY LOCATED AT 4000 COLLINS ROAD; AND

WHEREAS, THE OWNERS OF SAID PROPERTY HAVE REQUESTED THE CITY OF LANSING ACCEPT SAID SANITARY SEWER, FOR PUBLIC USE AND PURPOSE FOR THE SERVICE OF NEW BUILDINGS;

WHEREAS, THE PUBLIC SERVICE DEPARTMENT HAS REVIEWED THE CONSTRUCTION AND CONDITION OF SAID SANITARY SEWER AND FINDS IT ACCEPTABLE;

THEREFORE, BE IT RESOLVED, THE CITY COUNCIL HEREBY ACCEPTS THE PERMANENT EASEMENT GRANTED TO THE CITY FOR THE SANITARY SEWER AT THE PROPERTY LOCATED AT 4000 COLLINS ROAD, AS EXECUTED BY LOUIS J. EYDE LIMITED FAMILY PARTNERSHIP AND GEORGE F. EYDE LIMITED FAMILY PARTNERSHIP, ACCORDING TO THE FOLLOWING LEGAL DESCRIPTION:

A SANITARY SEWER EASEMENT, 20 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 36, T4N, R2W, CITY OF LANSING,

INGHAM COUNTY, MICHIGAN; THENCE ALONG THE EAST-WEST 1/4 LINE S89°26'28"E 1307.16 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36; THENCE ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 N00°07'51"W 180.30 FEET TO THE POINT OF BEGINNING; THENCE N89°22'44"W 313.00 FEET; THENCE N38°33'35"W 213.00 FEET TO THE POINT OF ENDING.

BE IT FURTHER RESOLVED, UPON APPROVAL AS TO FORM OF THE BEFORE MENTIONED PERMANENT EASEMENT BY THE CITY ATTORNEY, THE CITY CLERK IS REQUESTED TO RECORD THE EASEMENT WITH THE INGHAM COUNTY REGISTER OF DEEDS.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

#### RESOLUTION #688

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING  
SALE OF MILLER ROAD PROPERTY

WHEREAS, THE LANSING CITY COUNCIL IN CONSIDERATION OF ACT-7-96 AUTHORIZED THE ADMINISTRATION TO OFFER THE PROPERTY LOCATED IN THE 3200 BLOCK OF WEST MILLER ROAD FOR SALE AND DEVELOPMENT; AND

WHEREAS, KENNETH B. STOCKWELL AND EUGENE MIGALDI (FOR K & G WAREHOUSE PROPERTIES, L.L.C., A PARTNERSHIP TO BE FORMED) EXECUTED AND DELIVERED TO THE CITY AN OFFER ENTITLED OFFER TO PURCHASE AND CONTRACT OF SALE WITH ADDENDUM NUMBER ONE TO PURCHASE THE ENTIRE 8.73 ACRES FOR THE SUM OF \$97,850.00, SUBJECT TO CERTAIN CONDITIONS; AND

WHEREAS, THE CONTRACT OF SALE AND ADDENDUM WERE PLACED ON FILE WITH THE CITY CLERK 30 DAYS PRIOR TO THE SEPTEMBER 29, 1997 PUBLIC HEARING HELD ON THE PROPOSED SALE, ALL IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER AND THE LANSING CODE OF ORDINANCES; AND

WHEREAS, THE COUNCILS COMMITTEE ON PLANNING AND DEVELOPMENT HAS REVIEWED THE RECOMMENDATION OF THE ADMINISTRATION TO GRANT AN OPTION ON THE PROPERTY TO THE DEVELOPERS FOR THE SUM OF \$2,500.00 UNTIL MARCH 31, 1998; AND

WHEREAS, THE DEVELOPERS HAVE, BY LETTER TO THE CITY DATED DECEMBER 8, 1997, WAIVED



CONTINGENCIES 5 THROUGH 8 IN ADDENDUM NUMBER ONE AND HAVE AGREED TO ENTER INTO THE OPTION AGREEMENT FOR THE STIPULATED SUM TO BE CREDITED TO THE PURCHASE PRICE IF THE DEVELOPERS EXERCISE THE OPTION, AND HAVE REQUESTED THE OPTION PERMIT THEM TO PURCHASE THE ENTIRE PARCEL OR 6.20 ACRES DEPENDING ON THE RESULTS OF THEIR STUDY AND RESEARCH; AND

WHEREAS, THE CITY COUNCIL CONCURS WITH THE RECOMMENDATION OF THE ADMINISTRATION TO ENTER INTO AN OPTION TO SELL 6.20 OR 8.73 ACRES OF THE PROPERTY DEPENDING ON THE OUTCOME OF THEIR STUDY AND RESEARCH; AND

WHEREAS, THE LANSING BOARD OF WATER AND LIGHT HAS SUBMITTED A PROPOSAL TO UTILIZE THE APPROXIMATE SOUTH 300 FEET OF THE PARCEL AS A WELL SITE IN THE EVENT THAT DEVELOPERS CHOOSE TO PURCHASE ONLY 6.20 ACRES OF THE PROPERTY AND THIS PORTION IS RETAINED BY THE CITY;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LANSING CITY COUNCIL HEREBY APPROVES THE GRANTING TO KENNETH B. STOCKWELL AND EUGENE MIGALDI FOR THE SUM OF \$2,500.00, AN OPTION TO PURCHASE THE 8.73 ACRE PARCEL OF PROPERTY LOCATED IN THE 3200 BLOCK OF WEST MILLER ROAD, MORE PARTICULARLY DESCRIBED AS:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, T3N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING ON THE NORTH LINE OF SAID SECTION 7 AT A POINT N88°32'24"W, 440.00 FEET FROM THE NORTH 1/4 CORNER OF SECTION 7, T3N, R2W, THENCE S01°25'57"W, 326.00 FEET, THENCE S88°32'24"E, 110.00 FEET; THENCE S01°40'00"W, 334.25 FEET, THENCE S01°07'44"W, 611.73 FEET TO THE NORTH RIGHT OF WAY OF HIGHWAY I-96; THENCE N86°32'W, 164.26 FEET AND N82°52'06"W, 166.49 FEET ALONG SAID I-96 RIGHT OF WAY; THENCE N01°16'20"E, 590.06 FEET; THENCE N01°24'29"E, 659.76 FEET TO THE NORTH LINE OF SAID SECTION 7; THENCE S88°32'24", 220 FEET ON THE NORTH LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING,

OR, IN THE ALTERNATIVE, APPROXIMATELY 6.20 ACRES THEREOF (TO BE LEGALLY DESCRIBED BY A SURVEY TO BE MADE IN THE FUTURE) EXCLUDING FROM SAID SALE THE APPROXIMATE SOUTH 300 FEET, AND FURTHER RESERVING IN THE CITY AN ACCESS EASEMENT 33 FEET IN WIDTH ACROSS THE APPROXIMATE 6.20 ACRES ALONG THE WEST PROPERTY LINE LEADING TO THE SOUTH 300 FEET OF THE PROPERTY.

BE IT FURTHER RESOLVED, THAT UPON EXERCISE OF

THE OPTION BY THE DEVELOPERS, THE PROPERTY SHALL BE SOLD ACCORDING TO THE TERMS OF THE OFFER TO PURCHASE AND CONTRACT OF SALE AND ADDENDUM NUMBER ONE DATED AUGUST 25, 1997, AS REVISED IN A LETTER TO THE CITY FROM THE DEVELOPERS DATED DECEMBER 8, 1997 FOR THE SUM OF \$97,850.00, IF OPTION I IS CHOSEN, AND FOR THE APPROXIMATE SUM OF \$70,220.00 (OR \$.26 A SQUARE FOOT BASED ON THE ACTUAL SQUARE FOOTAGE TO BE DETERMINED BY SURVEY), IF OPTION II IS CHOSEN, PLUS ALL CLOSING COSTS, AND ACCORDING TO ALL OTHER CONDITIONS AND TERMS CONTAINED THEREIN.

BE IT FURTHER RESOLVED, THAT IF OPTION II IS CHOSEN, THAT THE APPROXIMATE SOUTH 300 FEET OF THE PROPERTY BE MADE AVAILABLE TO THE BOARD OF WATER AND LIGHT FOR USE AS A WELL SITE.

BE IT FURTHER RESOLVED, THAT ALL PROCEEDS FROM THE SALE OF THE PROPERTY SHALL BE PLACED IN THE CITY'S GENERAL FUND INFRASTRUCTURE ACCOUNTANT.

BE IT FINALLY RESOLVED, THAT THE MAYOR, ON BEHALF OF THE CITY, IS AUTHORIZED TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE OPTION AND SALE, SUBJECT TO THEIR PRIOR APPROVAL AS TO FORM BY THE CITY ATTORNEY.

BY COUNCILMEMBER LILLY

CARRIED UNANIMOUSLY

#### **RESOLUTION #689**

BY COUNCILMEMBER TONY BENAVIDES  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING ("EMPLOYER") ESTABLISHED A DEFERRED COMPENSATION PLAN ("PLAN"), EFFECTIVE ON JULY 1, 1985, PURSUANT TO SECTION 457 OF THE INTERNAL REVENUE CODE OF 1986 ("CODE"), AS AMENDED; AND

WHEREAS, THE INTERNAL REVENUE SERVICE HAS ANNOUNCED THAT THE MAXIMUM LIMIT ON DEFERRALS FOR SECTION 457 PLANS HAS BEEN RAISED FROM \$7,500 TO \$8,000 BEGINNING JANUARY 1, 1998; AND

WHEREAS, THE COMMITTEE ON DEFERRED COMPENSATION ("COMMITTEE") RECOMMENDS TO MODIFY SECTIONS 2.03A AND 2.03B OF THE PLAN TO ALLOW FOR THIS INCREASE BY ADDING THE FOLLOWING LANGUAGE AFTER EACH PLACE IN WHICH \$7,500 AND \$15,000 APPEARS: "OR SUCH LARGER AMOUNT AS MAY BE LEGALLY PRESCRIBED."; AND



WHEREAS, THE EMPLOYER DESIRES TO MODIFY ITS PLAN TO COMPLY WITH THE PROVISIONS OF THE ACT AND ALLOW FOR THIS INCREASE;

NOW, THEREFORE, BE IT RESOLVED THAT THE EMPLOYER HEREBY AMENDS SECTIONS 2.03A AND 2.03B BY ADDING THIS LANGUAGE TO ITS PLAN, EFFECTIVE IMMEDIATELY.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

**RESOLUTION #690**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, BY 1997 RESOLUTIONS #481 AND #539, COUNCIL ESTABLISHED RESPECTIVELY THE BOUNDARIES FOR THE PROPOSED CAPITOL HISTORIC DISTRICT AND APPROVED THE MAYOR'S APPOINTMENTS TO A STUDY COMMITTEE FOR THE PROPOSED HISTORIC DISTRICT- AND

WHEREAS, COUNCIL HAS MADE A FINDING THAT IRREPARABLE HARM WOULD RESULT TO THE RESOURCES IN THE PROPOSED CAPITOL HISTORIC DISTRICT IF DEMOLISHED AND, THEREFORE, DECLARED A SIX (6) MONTH EMERGENCY MORATORIUM ON ALL SUCH DEMOLITIONS; AND

WHEREAS, IN ADDITION TO DEMOLITIONS REQUIRING DEMOLITION PERMITS, THE PLANNING MANAGER REQUESTS CLARIFICATION OF THE MORATORIUM APPLICATION TO STRUCTURAL ALTERATIONS REQUIRING BUILDING PERMITS THAT CAN RESULT IN PARTIAL DEMOLITION OF EXISTING STRUCTURAL FEATURES-;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL FINDS THAT BECAUSE THE PROPOSED CAPITOL HISTORIC DISTRICT WAS ESTABLISHED UNDER CHAPTER 1220 OF THE CODE OF ORDINANCES (ENABLED UNDER THE MI LOCAL HISTORIC DISTRICTS ACT), PROCEDURES IN THE PROPOSED DISTRICT MUST AND SHALL BE CONSISTENT WITH THESE LAWS, AND

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL FINDS THAT UNDER THESE LAWS, THE SOLUTION TO POLICY GUIDANCE WHEN "PARTIAL DEMOLITION" MAY BE INVOLVED IN BUILDING PERMIT APPLICATIONS FOR STRUCTURAL ALTERATION IS AND SHALL BE THAT THE HISTORIC DISTRICT COMMISSION REVIEW PERMIT APPLICATIONS FOR WORK WITHIN THE PROPOSED DISTRICT WITH THE SAME POWERS AND DUTIES THAT WOULD APPLY IF THE PROPOSED DISTRICT WAS AN ESTABLISHED HISTORIC DISTRICT PURSUANT TO SECTIONS 1220.03(F), 1220.03(G), 1220.05(A), 1220.02(30), 1220.10 AND 1220.99 OF THE

CODE OF ORDINANCES AND THAT ORDINARY MAINTENANCE DOES NOT CONSTITUTE WORK PURSUANT TO SECTION 1220.02(21),

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL FINDS THAT THE DEFINITION OF DEMOLITION IS DESCRIBED IN SECTION 1220.02(7) AND SHALL NOT BE CONFUSED WITH AN ASPECT OF WORK WITHIN THE PROPOSED DISTRICT WHICH IS APPROVED CONSISTENT WITH CHAPTER 1220 OF THE CODE OF ORDINANCES, THIS RESOLUTION AND RESOLUTION #481, AND

BE IT FINALLY RESOLVED THAT THE SOLUTION TO THE QUESTION OF APPEALS OF ANY DECISION SHALL BE AS DESCRIBED IN SECTIONS 1220.05(B) AND 1220.13(B) OF THE CODE OF ORDINANCES.

BY COUNCILMEMBER LEEMAN

TO PLACE AN AFFIRMATIVE ROLL ON THE RESOLUTION

BY COUNCILMEMBER LILLY

THAT THIS RESOLUTION BE PULLED FROM THE AGENDA AND REFERRED BACK TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, LILLY

NAYS: COUNCILMEMBERS BAUER, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

COUNCILMEMBER LEEMAN'S MAIN MOTION WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, NOVAK

NAYS: COUNCILMEMBER LILLY

**RESOLUTION #691**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE CITY OF LANSING FUND FOR COMMUNITY CABLECASTING ACTIVITIES COVERING CALENDAR YEAR 1996-97 AMOUNTS TO \$10,663.00; AND

WHEREAS, THE TELECOMMUNICATIONS AND CABLE ADVISORY BOARD HAS EVALUATED NINE (9) GRANT APPLICATIONS FROM COMMUNITY PROGRAMMERS AND RECOMMENDED THAT EIGHT (8) APPLICANTS RECEIVE FUNDING TOTALING \$10,191.00, WITH A RESERVE OF \$472.00; AND



WHEREAS, THE COMMITTEE OF THE WHOLE HAS REVIEWED THE BOARD'S RECOMMENDATIONS AND CONCURS WITH THE LIST OF RECOMMENDED GRANTS; AND

NOW, THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES THE GRANT ALLOCATIONS TO PRODUCERS OF COMMUNITY PROGRAMS ACCORDING TO THE ATTACHED LIST, AS RECOMMENDED BY THE TELECOMMUNICATIONS AND CABLE ADVISORY BOARD; AND

BE IT FURTHER RESOLVED THE COUNCIL STAFF IS AUTHORIZED TO MAKE A BULK PURCHASE OF VIDEO TAPE AND ALLOCATE TAPE TO APPLICANTS IN AMOUNTS SPECIFIED ON THE ATTACHED SUMMARY; AND

BE IT FINALLY RESOLVED THE COUNCIL STAFF IS AUTHORIZED TO PROCESS EXPENDITURES OF UP TO \$6,299.00 FROM THE COMMUNITY CABLECASTING FUND FOR PRODUCERS OF COMMUNITY PROGRAMS AS SPECIFIED ON THE ATTACHED SUMMARY, AS RECOMMENDED BY THE TELECOMMUNICATIONS AND CABLE ADVISORY BOARD AND THE COMMITTEE OF THE WHOLE.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

1997 RECOMMENDED CABLE GRANTS  
TELECOMMUNICATIONS & CABLE ADVISORY BOARD

APPLICANT	TITLE OF PROGRAM/SERIES	DOLLARS RECOMMENDED	TOTAL RECOMMENDED	VALUE OF VIDEO TAPE
ANGEL AGUILAR	VIDEO MUSICALES		\$968	\$968
ALEXANDER BOLT	THE NAKED CITY	\$214	\$800	\$386
DARRYL BURGESS	OUTDOOR MOOVIES/REQUIRED VIEWING		\$233	\$233
LANSING CONCERT BAND	50TH ANNIVERSARY CONCERTS	\$4,000	\$4,000	
LUE LEE	HMONG LUB NEEJ TELEVISION	\$810	\$1,500	\$690
GUILLERMO LOPEZ	RAICES DE LA RAZA	\$350	\$1,318	\$968
CHRISTINE TIMMONS	JEWELS OF KNOWLEDGE		\$672	\$672
RSVP	YESTERDAYS YOUNGSTERS	\$825	\$900	\$75

RECOMMENDED DOLLARS  
PURCHASES TO BE USED FOR

ALEXANDER BOLT	\$214.00	STUDIO PROPS: TABLE, CHAIRS, PITCHER AND GLASSES
LUE LEE	\$810.00	2 MICROPHONE FLAGS, DESIGN OF PROGRAM LOGO, BACK DROP WITH LOGO
GUILLERMO LOPEZ	\$350.00	6' BY 6' LOGO PAINTING ON CANVAS
RSVP	\$825.00	VHS PORTABLE MONITOR & CARRYING CASE, VIDEO CASSETTE RECORDER

RESOLUTION #692  
BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LANSING

WHEREAS, THE LANSING CITY CLERK SUBMITTED A RECOMMENDED LIST OF DATES FOR THE LANSING CITY COUNCIL MEETINGS FOR THE FIRST SIX MONTHS OF 1998 TO THE LANSING CITY COUNCIL ON MONDAY, DECEMBER 8, 1997; AND

WHEREAS, THE COMMITTEE OF THE WHOLE HAS REVIEWED THE CITY CLERK'S RECOMMENDATIONS AND CONCURS WITH THE LIST OF RECOMMENDED MEETING DATES FOR THE FIRST SIX MONTHS OF 1998;

NOW, THEREFORE BE IT RESOLVED THE LANSING CITY COUNCIL HEREBY APPROVES CITY CLERK'S RECOMMENDATIONS AND CONCURS WITH THE LIST OF RECOMMENDED LANSING CITY COUNCIL MEETINGS DATES FOR THE FIRST SIX MONTHS OF 1998.

BY COUNCILMEMBER LEEMAN

CARRIED UNANIMOUSLY

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY

THAT WE MOVE TO THE PASSAGE OF ORDINANCES

BY COUNCILMEMBER LILLY

THAT THE ORDINANCE, WHEN READ, BE CONSIDERED AS READ IN ITS ENTIRETY



BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-22-97; VACANT PROPERTY IN THE 1100 BLOCK OF E. MILLER RD., BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY COUNCILMEMBER LILLY:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT THE ORDINANCE PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY PROVIDING FOR THE REZONING OF A PARCEL OF PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE FOR PROPERTY LOCATED AT Z-22-97; VACANT PROPERTY IN THE 1100 BLOCK OF E. MILLER RD., BE NOW PASSED

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

#### ORDINANCE #2419

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE DISTRICT MAPS ADOPTED BY AND INCORPORATED AS SECTION 1246.02 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO PROVIDE AS FOLLOWS:

TO CHANGE THE ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS FOLLOWS:

CASE NUMBER: Z-22-97, VACANT LAND 1100 BLK. E. MILLER (S. SIDE)

PARCEL NUMBERS: PPN 3305-10-126-081

COM 504.3 FT W OF N 1/4 POST, TH W 114.5 FT, S 330 FT, E 114.5 FT, N 330 FT TO BEG; SEC 10 T3N R2W CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

FROM "A" RESIDENTIAL TO "G-2" WHOLESALE DISTRICT

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS FROM ITS PASSAGE UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

MARILYNN SLADE, CITY CLERK

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER NOVAK

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1442, SECTION 1442.22, OF THE SIGN CODE RELATING TO BILLBOARDS FOR THE PURPOSE OF: LIMITING THE MAXIMUM HEIGHT AND WIDTH OF SIGNS, PROVIDING SETBACK AND DISTANCE REQUIREMENTS FROM CERTAIN USES AND DISTRICTS AND FROM PUBLIC RIGHTS OF WAY INTERCHANGES AND INTERSECTIONS, REDUCING ILLEGAL USE OF AND DEMAND FOR ALCOHOL AND TOBACCO PRODUCTS BY UNDERAGE PERSONS, INCREASING THE MINIMUM DISTANCE BETWEEN BILLBOARDS, AND LIMITING THE NUMBER OF CITY BILLBOARD STRUCTURES TO 120, BUT PROVIDING FOR THE INCREASE IN THAT NUMBER BY REMOVAL OF EXISTING NON-CONFORMING BILLBOARD STRUCTURES, BE PLACED ON ORDER OF IMMEDIATE PASSAGE.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER NOVAK

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1442, SECTION 1442.22, OF THE SIGN CODE RELATING TO BILLBOARDS FOR THE PURPOSE OF: LIMITING THE MAXIMUM HEIGHT AND WIDTH OF SIGNS, PROVIDING SETBACK AND DISTANCE REQUIREMENTS FROM CERTAIN USES AND DISTRICTS AND FROM PUBLIC RIGHTS OF WAY INTERCHANGES AND INTERSECTIONS, REDUCING ILLEGAL USE OF AND DEMAND FOR ALCOHOL AND TOBACCO PRODUCTS BY UNDERAGE PERSONS, INCREASING THE MINIMUM



DISTANCE BETWEEN BILLBOARDS, AND LIMITING THE NUMBER OF CITY BILLBOARD STRUCTURES TO 120, BUT PROVIDING FOR THE INCREASE IN THAT NUMBER BY REMOVAL OF EXISTING NON-CONFORMING BILLBOARD STRUCTURES, BE NOW PASSED.

BY COUNCILMEMBER NOVAK

THAT A SUBSTITUTE ORDINANCE BE ACCEPTED TO REPLACE THE ORIGINAL CONTAINED IN THE COUNCIL PACKET

CARRIED UNANIMOUSLY

BY COUNCILMEMBER NOVAK

THAT THE FOLLOWING AMENDMENTS TO THE SUBSTITUTE ORDINANCE BE ACCEPTED AS FRIENDLY

-IN SECTION 1442.22(A) IN THE FIRST LINE TO DELETE THE WORDS "AND ALCOHOL", AND IN THE SECOND LINE TO DELETE THE WORDS "ALCOHOL AND"

-IN SECTION 1442.22(B) IN THE LAST LINE TO DELETE THE WORDS "HEALTH", "AND", AND "WELFARE"

-IN SECTION 1442.22(L) IN THE FIRST LINE TO DELETE THE WORDS "ALCOHOL AND"

-IN SECTION 1442.22(L) (1) IN THE LAST LINE TO DELETE "INTERSTATE HIGHWAY" AND TO INSERT I-96 AND I-496 EXCLUDING BUSINESS LOOPS;" AND,

TO PLACE AN AFFIRMATIVE ROLL ON THE SUBSTITUTE ORDINANCE AS AMENDED

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS ALLEN, BAUER, BEAL, BENAVIDES, JONES, LEEMAN, LILLY, NOVAK

NAYS: NONE

ABSENT: NONE

BY COUNCILMEMBER NOVAK

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY, SHALL TAKE EFFECT UPON IT'S PASSAGE.

CARRIED UNANIMOUSLY

#### ORDINANCE #979

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND SECTION 1442.22 OF CHAPTER 1442 OF THE CODIFIED ORDINANCES OF

LANSING, MICHIGAN REGARDING BILLBOARDS SIGNS TO: REVISE THE STATEMENT OF PURPOSE; LIMIT THE MAXIMUM HEIGHT AND WIDTH OF SIGNS; PROVIDE SETBACK AND DISTANCE REQUIREMENTS FROM CERTAIN USES AND DISTRICTS AND FROM PUBLIC RIGHTS OF WAY INTERCHANGES AND INTERSECTIONS; TO REDUCE ILLEGAL USE OF AND DEMAND FOR TOBACCO PRODUCTS BY UNDERAGE PERSONS, THROUGH RESTRICTIONS ON ADVERTISING OF TOBACCO PRODUCTS; INCREASE THE MINIMUM DISTANCE BETWEEN BILLBOARDS; AND LIMIT THE NUMBER OF CITY BILLBOARD STRUCTURES TO 120 BUT PROVIDE FOR THE INCREASE IN THIS NUMBER BY REMOVAL OF EXISTING NONCONFORMING BILLBOARD STRUCTURES.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT SECTION 1442.22 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO READ AS FOLLOWS:

#### 1442.22 BILLBOARDS

(A) FINDING OF FACT REGARDING TOBACCO USE BY MINORS AND BILLBOARD ADVERTISING OF TOBACCO PRODUCTS. IT IS HEREBY FOUND AND DECLARED THAT:

(1) OUTDOOR ADVERTISEMENTS ARE A UNIQUE AND DISTINGUISHABLE MEDIUM OF ADVERTISING WHICH SUBJECTS THE GENERAL PUBLIC TO INVOLUNTARY AND UNAVOIDABLE FORMS OF SOLICITATION, AS THE SUPREME COURT RECOGNIZED IN PACKER CORPORATION V. UTAH, 285 U.S. 105 (1932) BY CITING WITH APPROVAL THE FOLLOWING EXCERPT FROM THE OPINION OF THE UTAH SUPREME COURT:

ADVERTISEMENTS OF THIS SORT ARE CONSTANTLY BEFORE THE EYES OF OBSERVERS ON THE STREETS ... TO BE SEEN WITHOUT THE EXERCISE OF CHOICE OR VOLITION ON THEIR PART. OTHER FORMS OF ADVERTISING ARE ORDINARILY SEEN AS A MATTER OF CHOICE ON THE PART OF THE OBSERVER. THE YOUNG PEOPLE AS WELL AS THE ADULTS HAVE THE MESSAGE OF THE BILLBOARD THRUST UPON THEM BY ALL THE ARTS AND DEVICES THAT SKILL CAN PRODUCE. IN THE CASE OF NEWSPAPERS AND MAGAZINES, THERE MUST BE SOME SEEKING BY THE ONE WHO IS TO SEE AND READ THE ADVERTISEMENT. THE RADIO CAN BE TURNED OFF, BUT NOT SO THE BILLBOARD ... THESE DISTINCTIONS CLEARLY PLACE THIS KIND OF ADVERTISEMENT IN A POSITION TO BE CLASSIFIED SO THAT REGULATIONS OR



PROHIBITIONS MAY BE IMPOSED UPON ALL WITHIN THE CLASS. THIS IS IMPOSSIBLE WITH RESPECT TO NEWSPAPERS AND MAGAZINES.

(2) THE SUPREME COURT AND OTHER COURTS HAVE RECOGNIZED THE POSITIVE RELATIONSHIP BETWEEN ADVERTISING AND CONSUMPTION AS REGARDS A VARIETY OF GOODS AND SERVICES, SUCH AS ELECTRICITY, SEE, CENTRAL HUDSON GAS & ELEC. v. PUB. SERV. COMM'N. 447 U.S. 557,569 (1980) ("THERE IS AN IMMEDIATE CONNECTION BETWEEN ADVERTISING AND DEMAND FOR ELECTRICITY. CENTRAL HUDSON WOULD NOT CONTEST THE ADVERTISING BAN UNLESS IT BELIEVED THAT PROMOTION WOULD INCREASE ITS SALE."); GAMBLING, SEE POSADES DE PUERTO RICO ASSOC. v. TOURISM CO. OF PUERTO RICO, 478 U.S. 328, 341-42 (1986) ("THE PUERTO RICO LEGISLATURE OBVIOUSLY BELIEVED, WHEN IT ENACTED THE ADVERTISING RESTRICTIONS AT ISSUE HERE, THAT ADVERTISING OF CASINO GAMBLING AIMED AT THE RESIDENTS OF PUERTO RICO WOULD SERVE TO INCREASE THE DEMAND FOR THE PRODUCT ADVERTISED. WE THINK THE LEGISLATURE'S BELIEF IS A REASONABLE ONE..."; CIGARETTES, SEE CAPITAL BROADCASTING CO. v. MITCHELL, 33 F. SUPP. 582,586 (D.D.C. 1971) (THREE-JUDGE COURT) (NOTING "CLOSE RELATIONSHIP BETWEEN CIGARETTE COMMERCIALS BROADCAST ON THE ELECTRONIC MEDIA AND THEIR POTENTIAL INFLUENCE ON YOUNG PEOPLE.") AFF'D PER CURIAM, 405 U.S. 1000 (1972); AND ALCOHOL, SEE DUNAGIN v. CITY OF OXFORD, 718 F.2D 738,747-51 (1983) (EXTENSIVELY REVIEWING EVIDENCE ON CONNECTION BETWEEN LIQUOR ADVERTISING AND CONSUMPTION AND REJECTING INTERBRANDCOMPETITION ARGUMENT), CERT. DEN., 104 S. CT. 3533 (1984);

(3) NINETY PERCENT (90%) OF ALL NEW SMOKERS ARE AGE 18 AND YOUNGER. IN TWO SURVEYS, AT LEAST 86% OF TEEN SMOKERS SMOKED ONLY ONE OF THREE BRANDS - MARLBORO, CAMEL OR NEWPORT. TEEN CIGARETTE SMOKING IS AN EARLY WARNING SIGN FOR OTHER ILLEGAL YOUTH BEHAVIOR. TEENS WHO SMOKE ARE THREE TIMES MORE LIKELY THAN NONSMOKERS TO USE ALCOHOL, EIGHT TIMES MORE LIKELY TO USE MARIJUANA, AND 22 TIMES MORE LIKELY TO USE COCAINE. THE AVERAGE SMOKER STARTS SMOKING AT AGE 13 AND BECOMES A DAILY SMOKER BY AGE 14 1/2.

(4) THE CONSUMPTION OF TOBACCO BY MINORS IS ILLEGAL IN THE CITY OF LANSING.

(5) DESPITE THE ILLEGALITY OF TOBACCO CONSUMPTION, THE USE OF TOBACCO IS PREVALENT AMONG CITY OF LANSING YOUTH.

(6) INCREASED ILLEGAL TOBACCO CONSUMPTION AMONG LANSING YOUTH ALSO CONTRIBUTES TO INCREASED USE OF OTHER

ILLEGAL DRUGS AND TRUANCY.

(7) TOBACCO BILLBOARD ADVERTISING IN THE CITY OF LANSING IS PREVALENT AND DISPROPORTIONATELY HIGHER THAN TOBACCO BILLBOARD ADVERTISING IN THE REMAINDER OF INGHAM COUNTY.

(8) THE VAST MAJORITY OF LANSING BILLBOARDS, WITH THE EXCEPTION OF THOSE LOCATED ON HIGHWAYS, ARE LOCATED ON ARTERIALS USED BY LANSING SCHOOL CHILDREN FOR SCHOOL TRAVEL.

(9) TOBACCO BILLBOARD ADVERTISING INEVITABLY RESULTS IN INCREASED ILLEGAL TOBACCO CONSUMPTION BY LANSING YOUTH.

(10) DUE TO THE PREVALENCE OF TOBACCO BILLBOARD ADVERTISING IN LANSING, AS WELL AS THE LOCATION OF LANSING SCHOOLS ACCESSIBLE BY MAJOR ARTERIALS, IT IS IMPOSSIBLE FOR LANSING YOUTH TO AVOID TOBACCO BILLBOARD EXPOSURE.

(11) IN RECOGNITION OF THE LEGITIMATE BUSINESS INTERESTS, AS WELL AS FIRST AMENDMENT RIGHTS OF TOBACCO MANUFACTURERS, THIS ORDINANCE DOES NOT RESTRICT LESS INTRUSIVE ADVERTISING OR TOBACCO ADVERTISING ON INTERSTATE HIGHWAYS.

(12) THIS ORDINANCE ALSO ADDRESSES THE LEGITIMATE LAND USE ISSUES REGARDING THE PROLIFERATION OF BILLBOARDS IN THE CITY, IRRESPECTIVE OF THEIR CONTENT.

(B) STATEMENT OF PURPOSE. THE PURPOSE OF THIS SECTION IS TO PROMOTE COMMERCE YET LIMIT THE VISUAL IMPACT OF OUTDOOR ADVERTISING SIGNS ON THE CITY; TO REDUCE DEMAND FOR AND USE OF TOBACCO PRODUCTS BY UNDERAGE PERSONS; TO IMPROVE THE APPEARANCE OF THE CITY; TO ENHANCE THE URBAN VISUAL QUALITY OF NEW AND OLDER BUSINESS AREAS; TO INSURE COMPATIBILITY BETWEEN OUTDOOR ADVERTISING SIGNS AND ADJACENT LAND USES; TO LIMIT THE IMPACT OF ADVERTISING SIGNS IN TERMS OF VISUAL SIGN CLUTTER AND CONFUSION IN THE COMMUNITY; TO MINIMIZE DANGER TO THE PUBLIC SAFETY THROUGH DIVERTING DRIVER ATTENTION FROM THE ROAD; TO ENSURE APPROPRIATE PROPORTIONAL SCALE WITH ADJACENT LAND USES AND ADJACENT ON PREMISE SIGNAGE; TO PROMOTE SIGNAGE THAT IS AT EYE LEVEL AND CAN BE READILY VIEWED FROM MOVING VEHICLES WITH THE LEAST AMOUNT OF EYE DISTRACTION; AND OTHERWISE ASSURE THE PUBLIC SAFETY OF THE COMMUNITY.

(C) PERMITTED ZONING DISTRICTS. BILLBOARDS ARE PERMITTED ONLY IN THE F COMMERCIAL, G-2 WHOLESALE, H LIGHT INDUSTRIAL AND I HEAVY INDUSTRIAL DISTRICTS, AS WELL AS UNZONED AREAS IF CONTIGUOUS PROPERTIES ARE ZONED F, G-2, H OR I, AND IF ALL OTHER REQUIREMENTS ARE MET.



(D) AREA OF BILLBOARDS.

(1) BILLBOARDS ON A MAJOR/PRINCIPAL ARTERIAL AS DEFINED BY THE CITY'S MASTER PLAN, AS AMENDED FROM TIME TO TIME, SHALL NOT EXCEED FOURTEEN FEET IN HEIGHT BY FORTY-EIGHT FEET IN WIDTH AND ALLOWED A MAXIMUM OF 672 SQUARE FEET OF SIGN AREA. A TEMPORARY EXTENSION COMPRISING OF TWENTY PERCENT OF THE ALLOWABLE AREA MAY BE ADDED, PROVIDING THE EXTENSION DOES NOT EXTEND FIVE FEET BEYOND THE PERIMETER OF THE SIGN.

(2) BILLBOARDS ON A MINOR ARTERIAL AS DEFINED BY THE CITY'S MASTER PLAN, AS AMENDED FROM TIME TO TIME, ARE ALLOWED A MAXIMUM 300 SQUARE FEET OF SIGN AREA.

(E) SETBACK.

(1) NO BILLBOARD SHALL BE LOCATED WITHIN 250 FEET OF THE CENTER OF ANY INTERSECTION OF TWO MAJOR/PRINCIPAL ARTERIALS OR MINOR ARTERIAL, AS DEFINED BY THE CITY'S MASTER PLAN, AS AMENDED FROM TIME TO TIME.

(2) IN THOSE ZONE DISTRICTS WHERE PERMITTED, BILLBOARDS SHALL NOT BE CLOSER TO ANY RESIDENTIAL DISTRICT THAN A DISTANCE OF 200 FEET, OR CLOSER THAN 200 FEET TO THE NEAREST PROPERTY LINE OF ANY PARK, LIBRARY, SCHOOL, CHURCH, HISTORIC DISTRICT OR HOSPITAL. THIS DISTANCE WILL BE MEASURED FROM THE CLOSEST PART OF THE BILLBOARD TO THE NEAREST DISTRICT OR USE REFERENCED HERE.

(3) BILLBOARDS MUST COMPLY WITH THE SETBACK REQUIREMENTS OF THE ZONING DISTRICT IN WHICH THEY ARE LOCATED, AND NO BILLBOARD OR ANY PORTION THEREOF SHALL PROJECT OVER THE PUBLIC RIGHT OF WAY OR PUBLIC PROPERTY.

(F) LOCATION. BILLBOARDS ARE ONLY ALLOWED ON MAJOR/PRINCIPAL ARTERIALS, INCLUDING INTERSTATE HIGHWAYS OR FREEWAYS, AND ON MINOR ARTERIALS, AS DEFINED BY THE CITY'S MASTER PLAN, AS AMENDED FROM TIME TO TIME.

(G) TEMPORARY PORTABLE BILLBOARD. TEMPORARY PORTABLE BILLBOARDS MAY BE APPROVED BY PERMIT FOR SPECIFIED TIME PERIODS.

(H) DISTANCE FROM OTHER BILLBOARDS. BILLBOARDS SHALL COMPLY WITH SPACING REQUIREMENTS OF FEDERAL AND STATE REGULATIONS, AND IN NO CASE SHALL A BILLBOARD BE PERMITTED TO BE ERECTED OR CONSTRUCTED WITH 1000 FEET OF ANY OTHER BILLBOARD WHICH MAY BE VIEWED FROM THE SAME ROAD.

(I) HEIGHT. THE MAXIMUM HEIGHT TO THE TOP OF ANY BILLBOARD SHALL BE THIRTY-FIVE FEET. UNLESS OTHERWISE PROHIBITED, BILLBOARDS LOCATED ON INTERSTATE EXPRESSWAYS SHALL BE ALLOWED TO ACHIEVE A HEIGHT OF TWENTY-FIVE FEET ABOVE THE

PAVEMENT GRADE REGARDLESS OF THE TOTAL HEIGHT OF THE BILLBOARD.

(J) ILLUMINATION. THE LIGHT RAYS FROM ANY BILLBOARD WHICH IS EXTERNALLY ILLUMINATED SHALL BE CAST UPON THE BILLBOARD AND SHALL NOT BE VISIBLE TO MOTOR VEHICLE OPERATORS, EXCEPT AS MAY BE REFLECTED FROM THE FACE OF THE BILLBOARD. NO FLASHING ILLUMINATION IS ALLOWED.

(K) NUMBER. NO ADDITIONAL BILLBOARD STRUCTURE SHALL BE ERECTED WHEN THE NUMBER OF BILLBOARD STRUCTURES IN THE CITY EXCEEDS 120. WHEN THE 120 BILLBOARD STRUCTURE LIMIT IS EXCEEDED, A PERMIT MAY BE GRANTED FOR ONE NEW BILLBOARD STRUCTURE FOR EVERY TWO (2) NON-CONFORMING BILLBOARD STRUCTURES THE APPLICANT REMOVES IN THE CITY. THE NEW BILLBOARD STRUCTURE SHALL NOT HAVE MORE THAN TWO (2) BILLBOARD FACES. THE LIMITATION UPON THE ERECTION OF NEW BILLBOARD STRUCTURES SHALL NOT BE IN EFFECT WHEN THERE ARE LESS THAN 120 BILLBOARD STRUCTURES IN THE CITY.

(L) TOBACCO PRODUCTS.

(1) EFFECTIVE ON JANUARY 1, 1999, NO BILLBOARD TOBACCO ADVERTISING SHALL BE ALLOWED IN THE CITY OF LANSING WITH THE EXCEPTION OF BILLBOARD TOBACCO ADVERTISEMENTS LOCATED SUCH THAT THEY ARE VIEWED PRIMARILY FROM I-96 AND I-496, EXCLUDING BUSINESS LOOPS.

(2) THE SIGN MESSAGE PROHIBITED BY THIS SUBSECTION (L) IS NOT ENTITLED TO BE CONSIDERED "NONCONFORMING" AND THE MESSAGE SHALL NOT BE ACCORDED NONCONFORMING STATUS PROVIDED IN THIS CHAPTER.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY CITY COUNCIL.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER NOVAK

MARILYNN SLADE, CITY CLERK



**OTHER BUSINESS**► PUBLIC COMMENT ON CITY RELATED MATTERS

BETTY KOST OF 1425 MCINTYRE CRT. COMMENDED AND COMPLIMENTED COUNCILMEMBER JONES. HE HAS GIVEN GENEROUSLY FOR FIELD TRIPS FOR THE CHILDREN OF THIS COMMUNITY. HE HAS GIVEN MONEY GENEROUSLY FOR BOWLING EVENTS AND FOR ART SUPPLIES. COUNCIL IS LOSING ONE OF THE VERY BEST MEMBERS IT HAS EVER HAD.

CARL HUMPHREY OF 524 S. CHESTNUT SAID THAT HE HAS KNOWN AND WORKED WITH MR. WIENER FOR OVER 8 YEARS. MR. WIENER NEEDS A NAME PLAQUE FOR HIS PLACE AT THESE MEETINGS. HE WISHED A HAPPY HOLIDAYS TO EVERYONE.

LLOYD TEETS OF 116 E. ELM ST. CRITICIZED COUNCILMEMBER NOVAK FOR THE WORK HE HAS DONE DURING HIS TERM ON CITY COUNCIL, BUT WISHED HIM LUCK IN THE FUTURE. HE COMPLIMENTED COUNCILMEMBER LILLY AND SAID THAT HE WILL BE SORELY MISSED. HE SAID THAT THERE HAS NOT BEEN A COUNCILMEMBER IN 9 YEARS THAT CARED MORE ABOUT PEOPLE THAN COUNCILMEMBER JONES. HE CARES FOR ALL KINDS OF PEOPLE, THE ELDERLY, NEIGHBORHOOD GROUPS, AND KIDS. HIS DEFEAT AT THE POLLS IS A GREAT LOSS FOR THE CITY.

ALBERTA JORDAN OF 1649 GREENCREST IN E. LANSING SAID THAT SHE HAS ASKED FOR A WRITTEN STATEMENT FROM THE MAYOR'S OFFICE WITH REGARD TO THE COMPLAINT SHE FILED AGAINST A MEMBER OF THE MAYOR'S STAFF.

HELEN FISER OF 12100 S. CORK RD. IN MORRICE THANKED COUNCIL FOR TAKING ACTION TONIGHT TO PULL THE GRABOWSKI STORMWATER SETTLEMENT FROM THE AGENDA. SHE CAUTIONED COUNCILMEMBER BENAVIDES NOT TO FORGET WHO HE IS DEALING WITH. SHE DOES NOT MAKE CHARGES THAT SHE CANNOT BACK UP IN WRITING. SHE UNDERSTANDS WHAT SHE IS DOING, AND WHAT SHE IS UP AGAINST.

CHARLENE DECKER OF 2711 PLEASANT GROVE RD. COMMENDED COUNCILMEMBER JONES ON HIS INTEGRITY AND HONESTY.

**COMMITTEE REPORTS**RESOLUTION #693

THE COMMITTEE OF THE WHOLE, TO WHOM WAS REFERRED Z-22-97, THE REQUEST BY SNETHKAMP PROPERTIES, LLC, 6131 S. PENNSYLVANIA, TO REZONE THE VACANT PROPERTY IN THE 1100 BLOCK OF EAST MILLER ROAD ON THE SOUTH SIDE OF THE ROAD FROM "A" RESIDENTIAL TO "G-2" WHOLESALE.

THE COMMITTEE REVIEWED THE REQUEST AND THE

RECOMMENDATION OF THE LANSING PLANNING BOARD.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THAT Z-22-97, THE REQUEST BY SNETHKAMP PROPERTIES, LLC, 6131 S. PENNSYLVANIA, TO REZONE THE VACANT PROPERTY IN THE 1100 BLOCK OF EAST MILLER ROAD ON THE SOUTH SIDE OF THE ROAD FROM "A" RESIDENTIAL TO "G-2" WHOLESALE BE APPROVED.

SIGNED: ELLEN BEAL  
HAROLD LEEMAN  
JOAN BAUER  
HOWARD JONES  
RICK LILLY  
SANDY ALLEN  
TONY BENAVIDES  
PAUL NOVAK

BY COUNCILMEMBER BEAL

THAT THE REPORT OF THE COMMITTEE BE RECEIVED

CARRIED UNANIMOUSLY

RESOLUTION #694  
REPORT OF COMMITTEE

THE DEVELOPMENT AND PLANNING COMMITTEE, TO WHOM WAS REFERRED A PROPOSED ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1442, SECTION 1442.22 FOR THE PURPOSE OF AMENDING THE BILLBOARD PROVISION OF THE SIGN CODE; AND

THE COMMITTEE ON DEVELOPMENT AND PLANNING REVIEWED PUBLIC CONCERNS, THE HEALTH STUDIES, STATE STATUTES, POLICE AND SCHOOL DATA REGARDING UNDERAGE USE OF TOBACCO AND ALCOHOL AND ANALYZED MAPS AND THE EXISTING BILLBOARDS IN THE CITY OF LANSING.

REPORTS AS FOLLOWS: THE COMMITTEE RECOMMENDS THE PROPOSED ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1442, SECTION 1442.22 FOR THE PURPOSE OF AMENDING THE BILLBOARD PROVISIONS OF THE SIGN CODE, AND THAT THE PRESIDENT ESTABLISH A SPECIAL AD HOC COMMITTEE TO REVIEW ADDITIONAL CHANGES TO THE BILLBOARD PROVISION.

SIGNED: RICK LILLY, CHAIRPERSON  
SANDY ALLEN  
JOAN BAUER

BY COUNCILMEMBER LILLY

THAT THE REPORT OF THE COMMITTEE BE ADOPTED



CARRIED UNANIMOUSLY

### **CITY OFFICER & BOARD REPORTS**

1. LETTER FROM THE CITY CLERK SUBMITTING MINUTES OF BOARDS AND AUTHORITIES PLACED ON FILE IN THE CITY CLERK'S OFFICE

RECEIVED AND PLACED ON FILE

2. LETTER FROM THE CITY ATTORNEY REGARDING: RICHARD PUTNEY V CITY OF LANSING

RECEIVED AND PLACED ON FILE

3. INTERNAL AUDIT REVIEW OF LEPFA FINANCIAL STATEMENTS FOR FY ENDED JUNE 30, 1997

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. LETTERS FROM THE MAYOR RE:

A. Z-23-97; 3200 BLOCK W. MILLER RD.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

B. ACT-05-97; RIVER ST. SE OF E. SOUTH STREET VACATION OF RIGHT OF WAY

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

C. ACT-15-97; 400 BLOCK CHESTNUT STREET, VACATE FOR FERRIS PARK

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

D. ACT-16-97; 500 BLOCK W. GENESEE ST., DESIGNATION OF ALLEY

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

E. LETTER FROM DIANA L. RAMMACHER IN SUPPORT OF A NORTH SIDE POLICE PRECINCT

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. EMERGENCY PROCUREMENT FOR REPAIR OF THE JOLLY/WEXFORD PEDESTRIAN SKYWALK

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND THE COMMITTEE ON WAYS AND MEANS

### **COMMUNICATIONS & PETITIONS**

BY COUNCILMEMBER ALLEN

THAT COMMUNICATIONS AND PETITIONS BE CONSIDERED AS BEING READ IN FULL AND THAT THE PROPER REFERRALS BE MADE BY PRESIDENT BEAL

CARRIED UNANIMOUSLY

1. LETTER FROM THE INGHAM INTERMEDIATE SCHOOL DISTRICT STATING THEIR INTENT TO COLLECT ONE HUNDRED PERCENT (100%) 1998 SUMMER TAX COLLECTION

REFERRED TO THE MAYOR

2. LETTER FROM JOSEPH P. MAGUIRE OF THE WOLVERINE DEVELOPMENT CORPORATION IN SUPPORT OF THE PROPOSED AMENDMENTS TO THE SIGN CODE BILLBOARD PROVISIONS

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. LETTER FROM DANA MAKI & DAVID HODGES OF 204 GRAND RIVER IN SUPPORT OF A NORTH SIDE POLICE PRECINCT IN THE PRUDEN BUILDING LOCATION

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. RESOLUTION ADOPTED BY THE CITY OF WILLIAMSTON PETITIONING THE CITY OF LANSING, INGHAM COUNTY, CAPITAL AREA DISTRICT LIBRARY AND THE STATE LIBRARIAN TO ALLOW THEM TO BECOME A PARTICIPATING MUNICIPALITY OF THE CAPITAL AREA DISTRICT LIBRARY

REFERRED TO THE MAYOR

5. LETTER FROM MEDIA ONE REGARDING THEIR INTENT TO ENTER INTO AN AGREEMENT COVERING THE TRADE OF SEVERAL CABLE SYSTEMS

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

6. LETTER FROM THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY SUBMITTING NOTICE OF AN APPLICATION FILED FOR CONSTRUCTION IN THE FLOODPLAIN OF THE GRAND RIVER BY ROBERT E. ESCHBACH FOR 1565 ROOSEVELT

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE DEPARTMENT

7. LETTER FROM THE TRI-COUNTY REGIONAL PLANNING COMMISSION SUBMITTING THEIR RESOLUTION REGARDING JURISDICTIONAL TRANSFER "RATIONALIZATION" OF ROADWAYS THROUGHOUT CLINTON, EATON AND INGHAM COUNTIES

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD



8. SLU-13-97, 908 E. MT. HOPE, SPECIAL LAND USE PETITION FILED BY ANTHONY W. MCCLOUD OF 3708 GLASGOW TO ALLOW FOR THE USE OF 908 E. MT. HOPE AS A BEAUTY SALON IN A "D-1" PROFESSIONAL OFFICE DISTRICT

REFERRED TO THE MAYOR AND THE PLANNING BOARD

9. SLU-14-97; 2300 N. WAVERLY RD., SPECIAL LAND USE PETITION FILED BY BAPTIST CHURCH TO ALLOW FOR THE CONSTRUCTION OF A 12,622 SQUARE FOOT ADDITION ONTO THE EXISTING CHURCH BUILDING

REFERRED TO THE MAYOR AND THE PLANNING BOARD

10. LETTERS FROM CHRISTINE TIMMON OF 335 E. ST. JOSEPH RE: CABLECASTING GRANTS TO THE LANSING CONCERT BAND, CABLECASTING GRANT TAPE DISTRIBUTION, DENIAL OF Z-14-97

RECEIVED AND PLACED ON FILE

11. LATE ITEM FROM COUNCILMEMBER ALLEN; A LETTER FROM ANN SPENCER REGARDING OPERATIONS AND MAINTENANCE ACTIVITIES WITH CITY TRUCKS

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

### **COUNCILMEMBERS COMMENTS**

COUNCILMEMBER BENAVIDES SAID THAT EVEN THOUGH HE HAS, AT TIMES, DISAGREED WITH SOME OF HIS COLLEAGUES HE APPRECIATES THE TIME THEY HAVE GIVEN TO MAKE THE CITY OF LANSING A BETTER PLACE TO LIVE IN. PARTICULARLY, HE APPRECIATES COUNCILMEMBER JONES DEDICATION TO PROJECT PLAY. HE CANNOT SAY ENOUGH GOOD THINGS ABOUT COUNCILMEMBER NOVAK, HE IS A YOUNG KID THAT IS VERY SMART AND HAS A BIG FUTURE. WE WILL BE HEARING FROM HIM LATER ON IN OTHER AREAS. HE IS LOOKING FORWARD TO THAT. HE COMPLIMENTED COUNCILMEMBER LILLY ON HIS DEDICATION AND TENACITY.

COUNCILMEMBER LEEMAN THANKED COUNCILMEMBERS NOVAK, JONES AND LILLY FOR THEIR SERVICE ON CITY COUNCIL HE HAS LEARNED A LOT FROM EACH OF THEM AND APPRECIATES THEIR TIME AND ADVICE.

COUNCILMEMBER ALLEN SAID THAT NO MATTER HOW ANGRY SHE HAS BECOME WITH COUNCILMEMBER LILLY IN THE PAST, THERE HAVE ALSO BEEN MANY TIMES WHEN HE HAS FILLED HER HEART. HE DOES HIS HOMEWORK AND BRINGS PASSION TO HIS WORK. MOST PEOPLE NEVER SEE THIS SIDE OF HIM. SHE DESCRIBED COUNCILMEMBER JONES AS VERY GRUFF ON THE OUTSIDE, BUT A GREAT BIG MARSHMALLOW ON

THE INSIDE, WHO LOVES PEOPLE AND KIDS AND TRIES TO HELP EVERYONE. COUNCILMEMBER NOVAK HAS HAD HER TRUST MORE THAN ANYONE ELSE ON COUNCIL. HE HAS TRIED TO DO HIS VERY BEST FOR THE CITY AND WILL GO ON TO BIGGER AND BETTER THINGS.

COUNCILMEMBER BAUER THANKED COUNCILMEMBERS JONES, LILLY AND NOVAK FOR THEIR SERVICE AND DEDICATION TO THE CITY. PUBLIC SERVICE IS A HUGE PERSONAL SACRIFICE, AND EVERYONE ON COUNCIL GIVES UP A LOT IN ORDER TO SERVE THE CITY AND THEIR CONSTITUENTS. SHE HAS LEARNED A LOT FROM THESE THREE AND IS GRATEFUL FOR THE OPPORTUNITY TO WORK WITH THEM. SHE WISHED HAPPY HOLIDAYS TO EVERYONE.

COUNCILMEMBER NOVAK SAID THAT HE IS STILL GETTING CONSTITUENT COMPLAINTS. THERE ARE SOME UPSET RESIDENTS ON BEACON HILL BECAUSE OF A PUBLIC SERVICE TRUCK THAT TOOK OUT SOME MAILBOXES. HE SAID THAT HE WILL SAVE HIS MUSHY EMOTIONAL SPEECHES FOR THE GATHERING AT CORREY'S AFTER THE COUNCIL MEETING. HE WILL BE GLAD TO BE ABLE TO SPEND MORE TIME WITH HIS FAMILY, HE APOLOGIZED TO HIS DAUGHTER, SAMANTHA, WHO HAD A SCHOOL PLAY TONIGHT THAT HE WAS UNABLE TO ATTEND.

COUNCILMEMBER JONES SAID THAT WHEN HIS REELECTION BID FAILED AT THE POLLS, HIS GRANDCHILDREN THOUGHT THAT THEY WOULD NO LONGER BE ABLE TO GO TO LUGNUT GAMES. HE HAS ENJOYED THE LAST 4 YEARS AND IS PROUD OF WHAT THIS COUNCIL HAS ACCOMPLISHED. THEY BROUGHT OPEN GOVERNMENT BACK TO THE CITY AND ENCOURAGED CITIZENS TO TAKE PART IN THE COUNCIL MEETINGS. HE IS PROUD TO HAVE BEEN A PART OF THIS AND HE THANKED HIS COLLEAGUES AND EXPRESSED HIS RESPECT FOR THEM.

COUNCILMEMBER LILLY SAID THAT HE HAS SERVED THE PEOPLE OF LANSING AND INGHAM COUNTY FOR 12 OF THE PAST 14 YEARS. EITHER AS A COUNTY COMMISSIONER, OR AS A CITY COUNCILMEMBER. FOR 4 YEARS BEFORE THAT HE SERVED AS AN APPOINTED BOARD MEMBER. IT IS TIME FOR HIM TO STEP DOWN AND LET SOMEONE ELSE SERVE. WHEN YOU STAY IN OFFICE TOO LONG, YOU BECOME FRIENDS WITH THE PEOPLE YOU ARE SUPPOSED TO BE WATCHING. YOU MAKE FRIENDS WITH THE PEOPLE WHO PAY YOUR CAMPAIGN BILLS. THE ABILITY TO COMPROMISE IS GENIUS. HE IS BEGINNING TO SEE, IN THIS CITY, A LACK OF ABILITY TO COMPROMISE AT ALL. LANSING IS NOT A COMMUNITY IN WHICH EVERYONE AGREES ON THE WAY TO SOLVE PROBLEMS. THIS IS GOOD. IT ALLOWS A CHANCE FOR COMPROMISE. IN THIS ROOM THEY SEEK TO FIND THE COMMON GROUND ON IDEAS AND VALUES AND TO CREATE A WIN/WIN SITUATION FOR EVERYONE. HE ASKED THE PUBLIC TO CONSIDER WHAT THIS COUNCIL HAS ACCOMPLISHED; THE REHABILITATION OF THE PARKS SYSTEM. THEY HAVE RE-BUILT



GROESBECK, BROUGHT BACK ICE SKATING RINKS AND THE SUMMER PARKS PROGRAMS, REPLACED PLAYGROUND EQUIPMENT THROUGHOUT THE CITY VIA PROJECT PLAY, FACILITATED THE RIVER TRAIL EXPANSION, RENOVATED THE CITY'S POOLS AND TURNER DODGE MANSION, CLEANED UP CREGO PARK, NEGOTIATED FOR THE CONSTRUCTION OF THE SOCCER ZONE PARKS COMPLEX ON CAVANAUGH RD. THEY DEVELOPED THE CITY OF LANSING HOME OWNERSHIP PROGRAM, PASSED THE DEVELOPMENT OF THE SUBDIVISION ON AURELIUS RD. AND STOPPED THE DEVELOPMENT OF SUBSIDIZED RENTAL UNITS IN OTHER PARTS OF THE CITY. THEY FUNDED THE MIDDLE SCHOOL SPORTS PROGRAM, DEVELOPED THE BLUE RIBBON COMMITTEE ON BASEBALL AND THE TRUANCY PROGRAM, THEY PARTICIPATED IN THE DEVELOPMENT OF THE DISTRICT LIBRARY, THE BUDGET STABILIZATION FUND AND THE INFRASTRUCTURE FUND. THEY REDUCED THE MILLAGE RATE, DEVELOPED THE LANSING ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY. THEY PIONEERED THE TELEVISIONING OF THE BUDGET PROCESS, DEVELOPED THE \$7,000,000 ROAD PROGRAM TO IMPROVE THE CITY'S STREETS, AND OVERSAW THE RECONSTRUCTION OF THE CITY'S SANITARY SEWER SYSTEM. THEY HAVE PERFORMED CSO REVIEWS, CREATED THE MID-MICHIGAN WATER AUTHORITY AND COMPLETED A FACILITIES NEED STUDY, AS WELL AS A FIRE STATION NEEDS STUDY. THEY HAVE PASSED MAJOR TAX ABATEMENTS FOR GENERAL MOTORS AND AUTHORIZED OTHER DEVELOPMENT PROJECTS, LIKE OLD TOWN, BLUE COYOTE, RUM RUNNERS, DIAMOND REO, AND OLDSMOBILE PARK. THEY INSTITUTED THE PRINCIPAL SHOPPING DISTRICT, THE HISTORIC DISTRICT COMMISSION AND APPROVED OVER 150 REZONINGS AND SPECIAL LAND USES. SPEAKING OF REZONING AND LAND USE ISSUES, THEY TURNED DOWN LESS THAN 20. THEY BUILT THE SOUTH SIDE POLICE PRECINCT, UPDATED COMPUTER AND COMMUNICATIONS EQUIPMENT, INCREASED OVER-TIME AND NEW EMPLOYEES AND THE AMOUNT OF FIRE TRUCKS. THEY STRENGTHENED THE ETHICS ORDINANCE. THIS IS A TRULY HUGE RECORD OF ACHIEVEMENT IN A RELATIVELY SHORT PERIOD OF TIME. HE THANKED EVERYONE WHO HAS EXPRESSED THEIR SORROW AT SEEING HIM LEAVE. HE RECITED A POEM BY CASSIE RUSSELL. HE HAS HAD A GREAT RIDE SERVING THE PEOPLE OF THE CITY OF LANSING AND HOPES TO BE REMEMBERED AS SOMEONE WHO DID THE BEST THAT HE COULD. HE THANKED HIS CONSTITUENTS FOR GIVING HIM THIS OPPORTUNITY AND EXPRESSED HIS HOPE THAT GOD WILL CONTINUE TO SHINE HIS FACE ON THIS CITY.

COUNCILMEMBER BEAL SAID THAT IT'S A LITTLE SCARY TO BE ONE OF TWO REMAINING COUNCILMEMBERS WHO HAVE SERVED THE CITY SINCE 1991. IT IS A SIGN OF THE TIMES THAT PEOPLE BECOME DISSATISFIED VERY QUICKLY AND DECIDE TO DO SOMETHING ELSE. SHE IS VERY CONCERNED ABOUT THE LOSS OF INSTITUTIONAL LIBRARY THEY WILL SUFFER WITH THE LOSS OF THESE

THREE COUNCILMEMBERS. SHE WISHED A WONDERFUL CHRISTMAS HOLIDAY SEASON TO EVERYONE.

### **MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS**

MR. WIENER ANNOUNCED THAT TOMORROW, TUESDAY, DECEMBER 16, 1997, IS DOWNTOWN DONOR DAYS. THIS IS OUR OPPORTUNITY TO GIVE THE GREATEST GIFT OF ALL, YOUR BLOOD. DONOR DAYS WILL RUN TOMORROW FROM 11:00 A.M. TO 3:30 P.M. IN THE CITY HALL LOBBY. HE ADDRESSED THE COMPLAINTS MADE BY MS. JORDAN. HE FEELS VERY BADLY FOR HER AND HER SON. HER SON WAS CONVICTED OF TWO ARMED ROBBERIES IN 1995. SHE BELIEVES THAT HE WAS ENTRAPPED. HOWEVER, HE WAS CONVICTED BY A JURY OF HIS PEERS AND SENTENCED BY A JUDGE. THE MAYOR'S OFFICE HAS ADVISED HER THAT SHE NEEDS TO GET ANOTHER ATTORNEY TO DEAL WITH THIS ISSUE FOR HER, IT IS A LEGAL ISSUE. ALL THE ADMINISTRATION CAN DO IS LISTEN TO HER COMPLAINT AND REITERATE THEIR SUGGESTION. THE THREE OUTGOING COUNCILMEMBERS HAVE COLLECTIVELY BEEN ADVOCATES FOR THE PEOPLE AND DEFENDERS OF THE CHARTER. THEY HAVE BEEN ADVOCATES OF OPEN GOVERNMENT AND STUDENTS AND ANALYSTS OF PUBLIC POLICY, PRACTITIONERS OF DEBATE. THEY SHARED A COMMON VISION FOR THE CITY. HE THANKED THEM FOR THE HOURS THEY HAVE SHARED AND FOR THE STIMULATING INTERACTION AND FOR EVERYTHING THEY HAVE CONTRIBUTED TO THE WELL BEING OF THE CITY. HE WISHED A BLESSED HOLIDAY TO EVERYONE.

COUNCILMEMBER BENAVIDES ASKED ABOUT THE PROGRESS OF THE TREE LIMB REMOVAL PROJECT ON THE SOUTH SIDE OF THE CITY FROM THE OCTOBER ICE STORM. SOUTHSIDE RESIDENTS ARE BECOMING VERY IMPATIENT. HE HAS BEEN GETTING A LOT OF CALLS. PEOPLE ARE ASKING IF THE CITY WOULD CONSIDER PAYING FOR RESIDENTS TO HIRE THEIR OWN PRIVATE HAULER TO REMOVE THE LIMBS.

MR. WIENER SAID THAT THE ADMINISTRATION RECOGNIZES THAT THIS WAS A MAJOR PROJECT, AND HE THANKED PEOPLE FOR BEING SO PATIENT. WE ARE NEARING THE END OF THE PROJECT. THE GOAL WAS TO FINISH BY THE END OF THE CHRISTMAS HOLIDAY. RESIDENTS ARE CERTAINLY ABLE TO HIRE PRIVATE HAULERS, BUT THE CITY WILL NOT REIMBURSE THEM FOR THE COST. THIS WAS A BIG COMMITMENT AND A HUGE JOB. THEY ARE STILL WORKING ON IT.

COUNCILMEMBER ALLEN NOTED THAT THE CITY DELAYED THE RESPONSE TIME BY DECIDING TO PICK UP ALL OF THE BRUSH, NOT JUST THE BRUSH THAT WAS IN THE RIGHT-OF-WAY. THIS CAUSED PROBLEMS AND DELAYS.

LIZA ESTLUND OLSON AGREED. THE INCREASED PICKUP IS A SIGNIFICANT PART OF THE PROBLEM. PEOPLE ARE BEING VERY PATIENT FOR THE MOST PART, THEY



ESTIMATED THAT IT WOULD BE 6-8 WEEKS BEFORE THE CLEAN-UP WAS COMPLETED. SHE URGED CITIZENS WHO ARE CALLING ABOUT THIS ISSUE TO MAINTAIN DECORUM AND TO REFRAIN FROM USING PROFANITY AND CALLING CITY EMPLOYEES NAMES. THIS WILL NOT GET THEIR BRANCHES PICKED UP ANY QUICKER. THERE WAS AN ADDITIONAL DELAY CAUSED BY VANDALISM TO THE TRUCKS OF THE CONTRACTOR THE CITY HIRED. STILL, THEY ARE WORKING WEST AND SOUTH OF JOLLY RD. THEY ARE MAKING PROGRESS. THEY HAVE HAD REPORTS OF PEOPLE PRUNING THEIR TREES AND DROPPING BRANCHES OFF IN AREAS WHERE PICKUP HAS ALREADY OCCURRED. THIS HAS SLOWED THEIR PROGRESS DOWN ALSO.

**ADJOURNED 10:45 P.M.**  
**MARILYNN SLADE, CITY CLERK**